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CORRESPONDENCE

OF

Sir Robert Kerr, First Earl of Ancram

AND HIS SON

William, Third Earl of Lothian

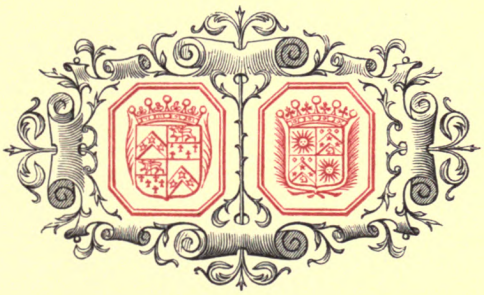
CORRESPONDENCE

OF

Sir Robert Kerr, First Earl of Ancram

AND HIS SON

William, Third Earl of Lothian



IN TWO VOLUMES

VOL. I.—1616-1649

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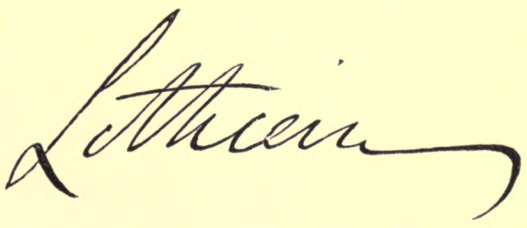
CONTAINING THE CORRESPONDENCE

OF THE EARLS OF ANCRAM AND LOTHIAN,

PRINTED FROM THE ORIGINAL LETTERS AT

Newbattle Abbey,

ARE PRESENTED BY THEIR OBEDIENT SERVANT,



May 1875.

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PREFACE.



PREFACE.

THE Correſpondence between Sir Robert Kerr, firſt Earl of Ancram, and his ſon William, third Earl of Lothian, now printed for the firſt time, is poſſeſſed of ſome intereſt in connexion with literature, and is of greater hiſtorical importance as ſerving to throw new light on the part taken by Scotland during the period of the Civil wars in the ſeventeenth century. The original letters, preſerved at Newbattle Abbey, had remained undiſcovered during the long minority of the late Marqueſs of Lothian, otherwiſe they would probably have been printed many years ago, as ſearches were made with this object, but without reſult.

About the year 1858 it was propoſed to have the Library at Newbattle Abbey examined and re-arranged preparatory to forming a new catalogue, and the late Marqueſs having conſulted me on the ſubject, I ſuggeſted that, as I could not perſonally undertake it, the work might yet be done under my ſuperintendence, by Mr. Alexander Orrock junior, who had been one of my aſſiſtants in the Signet Library.

It was while that work was ſtill in progreſs that his Lordſhip brought under my notice, along with ſeveral valuable manuſcripts and

printed books, the collection of Original Letters,[1] which had been separated from the Library, and removed, evidently for greater security, to a secret closet in his study, early in the present century, by William, sixth Marquess of Lothian, who had taken much interest in all matters connected with literature and history.[2]

A portion of these Letters had previously been bound in three volumes, selected out of a considerable number of others which remained folded and tied up in separate packets. These the late Marquess, from time to time, examined and docqueted, but soon found it would be desirable to have the entire collection arranged and classified. This I willingly undertook at his Lordship's request, and they now form a series of sixteen volumes, handsomely bound in morocco, besides two smaller volumes of Miscellaneous Papers. They are arranged as follows:—

1.	Royal Letters .	1569–1660	
2.	Ferniehirst . .	1505–1597	
3.	Do. . .	1527–1621	
4.	Do. . .	1537–1607	
5.	Do. . .	1602–1656	
6.	Ancram . . .	1607–1640	
7.	Do.	1620–1633	
8.	Do.	1632–1654	
9.	Lothian . . .	1608–1643	
10.	Do. . . .	1637–1649	
11.	Do. . . .	1650–1652	
12.	Do. . . .	1651–1656	
13.	Do. . . .	1649–1678	
14.	Do. . . .	1657–1669	
15.	Do. . . .	1673–1696	
16.	Do. . . .	1663–1709	

William Schomberg Robert, eighth Marquess of Lothian, died in London, on the 4th of July 1870, at the early age of 38. He was educated at Christ's-Church, Oxford, and was a distinguished and

[1] Some years previous to this I had twice sought in vain, on the shelves of the Library, for these Manuscripts, of the existence of which I was aware from their having been described by the minister of the Parish, the Rev. James Brown, in "The Statistical Account," 1794, vol. x., p. 216; whose description was copied *verbatim* in Forsyth's "Beauties of Scotland," 1805, and also in the "New Statistical Account," 1839. For a more detailed notice of these books and MSS. *see* Appendix No. V. pp. 536-539.

[2] In proof of this, a MS. volume in 4to, recently discovered, contains transcripts made by his Lordship from these Selected Letters, having facsimile tracings of the signatures.

accompliſhed ſcholar. His cultivated taſte in art as well as literature is exemplified in a volume, printed anonymouſly for private circulation, with the title of "Fragment of a parallel between the Hiſtory, Literature, and Art of Italy in the Middle Ages:" Edinb. 1863, poſt 8vo, pp. 478; and alſo by the publication, during the Civil War in America, of "The Confederate Seceſſion:" Edinb. 1864, poſt 8vo, pp. 226—a work which, written at intervals during ill-health, is held in great eſtimation by the people of the Southern States. If his Lordſhip had not been proſtrated by a ſerious and long-continued illneſs, it is very probable, from his literary habits, and the great intereſt taken by him in the old family letters and papers, that he himſelf would have undertaken the taſk of ſelecting, illuſtrating, and publiſhing the Correſpondence of his anceſtors in ſome definite form.

The preſent Marqueſs ſoon after his acceſſion contributed to the Roxburghe Club, in his brother's name, a metrical French romance entitled "Floriant et Florete," edited by M. Franciſque-Michel, from a unique manuſcript of the fourteenth century, preſerved in the Library at Newbattle Abbey. His Lordſhip alſo propoſed to preſent to the ſame Club a ſeries of the Letters contained in the preſent volumes. Knowing the intereſt that I took in theſe matters, and that his brother had conſulted me upon the ſubject, his Lordſhip wiſhed that I ſhould undertake to edit this Work. Averſe as I naturally was to come under freſh obligations, having actually on my hands more work of a like kind than I can ever expect to accompliſh, I could not well decline, as his Lordſhip propoſed that copies ſhould be preſented to the ſurviving Members of the Bannatyne Club, of which I had been Honorary Secretary during the whole period of its exiſtence ſince the year 1823, and of which both his father and brother, Marqueſſes of Lothian, had been members.

It will not be neceſſary to enter here upon the hiſtory of the various branches of the Kerr Family. All indeed that may be required, for illuſtrating the preſent volumes, is to collect the chief facts relating to Sir Robert Kerr, firſt Earl of Ancram, and his eldeſt

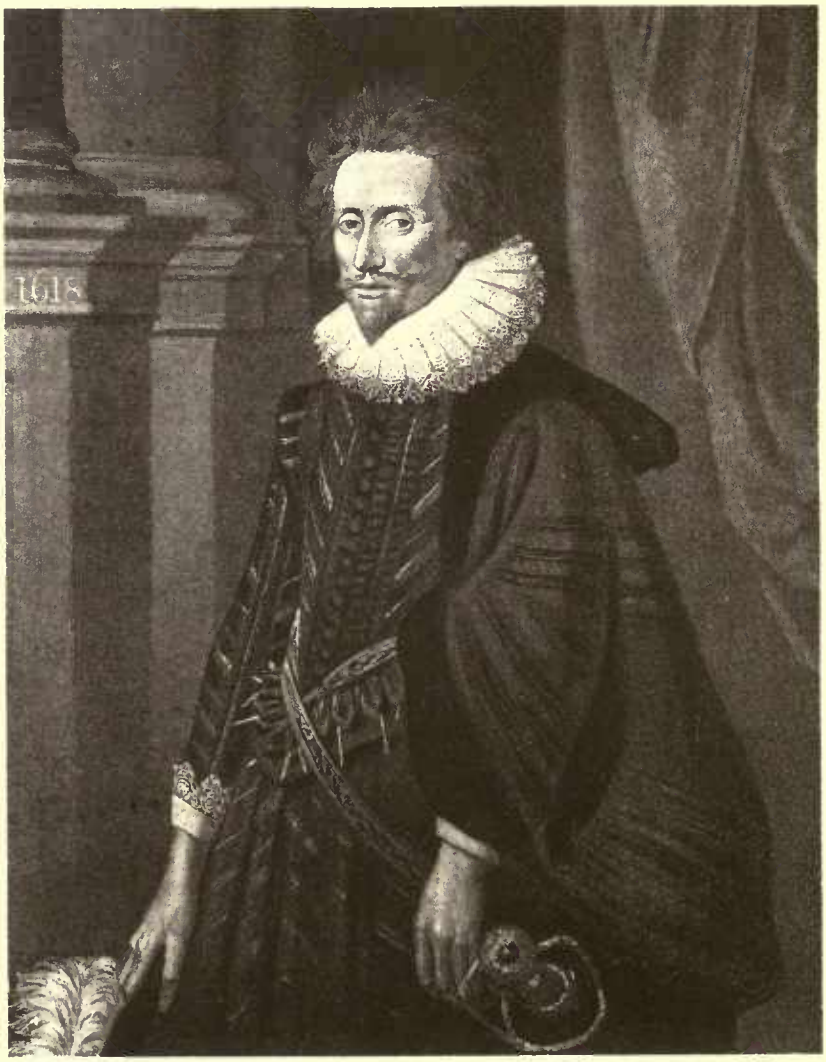
ſon William, third Earl of Lothian, to whoſe correſpondence they excluſively relate. The accompanying tables, however, may be uſeful to ſhow at a glance how ſome portions of the family branched out from, or became merged into, one another during the ſixteenth and the following centuries.

From the very extenſive and valuable ſeries of Portraits in the Gallery of Newbattle Abbey, the Marqueſs of Lothian has ſelected thoſe which ſeemed moſt ſuitable for illuſtrations to theſe volumes. The biographical introduction is divided into two parts; but the Letters are arranged in chronological order from their mutual connexion, and ſuch explanatory notes as ſeem to be required have been added. That the entire Ancram Correſpondence has not been preſerved is much to be regretted, as the Letters written by or addreſſed to him during the firſt quarter of the century might have proved of an intereſting literary character. Thoſe of the next quarter contained in theſe volumes are, however, ſufficient both in number and importance to illuſtrate the reſpective characters of the Earls of Ancram and of Lothian, while placed in apparent oppoſition to each other in matters connected with the hiſtory of the period. The one, having been attached to the houſehold of King Charles the Firſt for the greater part of his life, had rendered long and faithful ſervice with the beſt feelings of a courtier; the other, in a more active courſe of life, and influenced by patriotic and high-minded principle, had appeared in oppoſition to the Royaliſt party, without either of them loſing thoſe affectionate and reſpectful feelings of devoted attachment ſo apparent in every letter that has been diſcovered.

I cannot conclude without ſtating that in preparing theſe volumes for the preſs I was fortunate in having the aſſiſtance of Mr. Alexander Orrock junior, not only in ſeeing that the original Letters were accurately tranſcribed and collated, and ſupplying the Indexes, but alſo in collecting materials required for the two Memoirs, which, for want of time, I could not perſonally undertake.

DAVID LAING.

EDINBURGH.



SIR ROBERT KERR, EARL OF ANCRAM

From the original by N. Elyenbach, at Newbattle Abbey.

MEMOIR

OF

Sir Robert Kerr, Earl of Ancram.

ACCORDING to the various accounts given by Peerage and other writers, the ancient and noble FAMILY OF KERR were of Anglo-Norman lineage, and defcended of two brothers who fettled in Scotland in the thirteenth century. Their defcendants branched off into two feparate races of Border chieftains, each afferting their own title as chief of the name —the Kerrs of Ferniehirſt, now reprefented by the MARQUESS OF LOTHIAN, and the Kerrs of Ceſsfurd by the DUKE OF ROXBURGHE.

From the preceding genealogical tables it will be ſeen that ROBERT KERR of Ancram, third ſon of Sir Andrew Kerr of Ferniehirſt, was the grandfather of Sir Robert Kerr who became firſt Earl of Ancram. He died in February 1588, leaving by his wife, Iſobel Hume, daughter of Hume of Wedderburn, a ſon,

WILLIAM KERR of Ancram, who married Margaret Dundas, daughter of Alexander Dundas of Fingaſk, and had four ſons—

1. Sir ROBERT KERR, afterwards EARL OF ANCRAM.

2. WILLIAM, the ſecond ſon, who, for his ſervices on the Borders, obtained a penſion of £1000 Scots, October 2, 1614. He alſo had a grant of the lands of Overtoun, Auguſt 30, 1625.[1]

3. Sir THOMAS of Kedden, who was knighted on the creation of his elder brother Sir Robert as Earl of Ancram in July 1633.[2]

[1] Reg. Sec. Sig., lib. lxxxv., fol. 38.

[2] Balfour's *Annals*, vol. iv. p. 366.

4. Andrew, who engaged in foreign ſervice, and probably died abroad.

William Kerr of Ancram did not long enjoy his ſucceſſion, having, in connexion with ſome of their family diſputes, been aſſaſſinated, on the ſtreets of Edinburgh, in December 1590, by Sir Robert Kerr, younger of Ceſsfurd. The date of the murder is aſcertained by a grant of eſcheat to his ſecond ſon, under the Privy Seal.

"An Letter maid to Williame Kerr, ſecond ſon lawfull to umquhill Williame Kerr of Ancrum, of the Gift of the Eſchete of all guidis, geir, &c., quhilkis pertenit to Sir Robert Ker of Ceſurde younger, and Mungo Bennet of Cheſteris, and ilkane of thame, now in the King's hands for the ſaid Sir Robert's not finding caution to anſwer before the Juſtice for the ſlaughter and murder of the ſaid umquhill Williame Kerr of Ancrum, committit in the moneth of December, and dated 20th December 1590."[1]

The detailed notice of this fatal diſpute may alſo be extracted from the "Hiſtory of the Church of Scotland," by Archbiſhop Spottiſwood.

"A little after this (December 1590) fell out the ſlaughter of William Kerr of Ancrum, a gentleman of great ſufficiency, who was killed in Edinburgh under night, by Sir Robert Ker apparent of Ceſsford. There had been a long and old emulation betwixt the two families of Ceſsford and Farniherſt for the Wardenry of the Middle Marches and the provoſtry of Jedburgh. But Farniherſt being then deceaſed, and the heir left young, this gentleman, as deſcended of the houſe, did what he could to maintain the reputation of it, which was an eyeſore to the other. It happened alſo ſome little time before, this gentleman, in the trial of goods ſtolen from England, to find out the committer of the theft, and when the ſame was denied (for the matter was brought before the Council), to verify the ſame by clear teſtimonies, which was taken to be done out of ſpleen, and to rub ſome infamy upon Ceſsford, who was then Warden; for the man accuſed was one of his followers. This the Lady Ceſsford, a woman of a haughty ſpirit, did apprehend ſo deeply as ſhe never ceaſed till ſhe had moved her ſon, being then very young, to bereave the gentleman of his life. A hateful fact it was, both for the manner in which it was done and for the loſs the country received by the gentleman's death; for he was a man generally well given, wife, of great courage, and expert beyond others in the laws and cuſtoms of the Borders. The King was highly offended, and was reſolved to uſe exemplary juſtice upon the actor. But he eſchewing, and living a fugitive ſome months, was pardoned upon ſatisfaction made to the gentleman's children, as was thought by the Chancellor's interceſſion, who afterwards married him to his niece, a daughter of Lethington."[2]

[1] Regiſt. Sec. Sigilli, lib. lxi. fol. 111[b]. [2] Bannatyne Club edition, vol. ii. p. 411.

The Lord Chancellor, John, Lord Thirleſtane, and other friends, had thus intereſt enough to obtain a remiſſion, under the Great Seal, to the younger Ceſsfurd and nine aſſociates;—*Remiſſio domino Roberto Ker apparenti de Cesfurd, et novem aliis, pro arte et parte interfectionis quondam Willielmi Ker de Ancram*, November 18, 1591.[1]

A contemporary writer, ſuppoſed to be John Colville, in his anonymous "Hiſtorie and Life of King James the Sext,"[2] aſſigns a reaſon for ſecuring Kerr of Ceſsfurd's pardon.

"The Chanciller, miſtruſting certayne courteors of this enterpryſe, not without great occaſioun, thoght neceſſar to fortefie himſelf with aſſiſtance of freynds; and tharefore he foliſtit the King for a remiſſion to Sir Robert Ker yongar of Cesfurde, for the odious murther of William Ker of Ancrum, whilk was obtenit. This murther was committit in Edinburgh, under ſilence of night, the yeir before, and the committer was reteirit to Ingland, and callit bak for the caus foirſaid; in whom the Chanciller confidit as to the huſband of his brother doghter. And for the mair faiſtie of his perſone, he thoght expedient to duell in Edinburgh, guardit with ſoldiors on the nicht, and honeſt freyndlie gentilmen on the day, in great nomber."

The King himſelf interfered, and wrote (December 31, 1590) recommending that the "deadlie feud fallen out betwixt the houſes of Cesfurd and Pharnehirſt for the lait ewell murther and ſlaughter of umquhile Our weilbelovit Williame Ker of Ancrom, committit be Sir Robert Ker younger of Cesfurd," ſhould be amicably ſettled without further bloodſhed.

Robert Kerr, the eldeſt ſon, according to his own ſtatement, was born in the year 1578.[3] His mother, Margaret Dundas, afterwards became the wife of Sir George Douglas of Mordington. The date of her deceaſe has not been aſcertained.

We have no direct information in regard to the early life of Robert Kerr of Ancram; he may have been ſent abroad, but his

[1] Reg. Magni Sigilli, lib. xxxviii., No. 246.

[2] The Bannatyne Club edition, 1825, p. 245; and the Preface to Colville's Letters, printed for the Bannatyne Club, 1858, 4to.

[3] See page 379.

education had certainly not been neglected. His firſt appointment at Court ſeems to have been ſoon after the King's ſucceſſion to the Engliſh throne, and in connexion with the houſehold of Prince Henry and his ſiſter the Lady Elizabeth, at Aucklands. The houſehold at firſt conſiſted of 70 ſervants, 22 of whom were to be above ſtairs and 48 below; it was ſoon after increaſed to 56 above ſtairs and 85 below. His office was that of "Groom of the Bedchamber," and a warrant was iſſued,[1] as uſual, for ſtuff for his apparel, dated Auguſt 30, 1604. In the ſame year, October 31, there was alſo paid to him and to his companion Patrick Maxwell the ſum of £20 each for their wages.[1] The preciſe date when he obtained the honour of knighthood is ſomewhat doubtful: it was after 1603, but previous to 1607, and not unlikely about 1605, or the ſuppoſed time of his marriage with Elizabeth Murray, daughter of Sir John Murray of Blackbarony. In the Retours or Services of Heirs in the County of Roxburgh his name is thus recorded :—

Nov. 29, 1603.

Robertus Ker de Ancrum, hæres Williemi Ker de Ancrum *Patris*,—in terris de Woodheid, viz. Staw-waird et Braidlaw in dominio de Over Ancrum—A. E. 20 m, N. E. 27 m.

Maii 12, 1607.

Dominus Robertus Ker de Ancrum miles, hæres Roberti Ker de Ancrum, *Avi*,—in 12 libratis 6 ſolidatis et 40 denariatis terrarum de Newtoun, cum molendino de Newtoun, in parochia de Bedderwell—£12, 6s. et 4d.

On the occaſion of his going abroad (the ſpecial object is not mentioned), Sir Robert Kerr granted a commiſſion, dated at Edinburgh, January 24, 1607, to "Sir John Murray of Blackbarony, knyght, Dame Elizabeth Murray, his dochter and my ſpouſe, and Mr. Johne Abernethie, miniſter of Jedburgh," to manage his affairs in abſence. "Forſamekle (he ſays) as I am of intention ſchortlie, Godwilling, to depairt and paſs furth of this realme to the pairtis of France and utheris beyond, for doing of my lawfull affairis and

[1] Warrants in Record Office, London.

biſſineſs," etc. This is the firſt mention we have of his marriage with this lady, the mother of his eldeſt ſon, William, afterwards Earl of Lothian.

Sir Robert was ſtill abroad in the following year, as he wrote to the Laird of Ferniehirſt from Paris, March 23, 1608, ſaying "he had heard that the Ladie Newtoun is intending I knaw not what buſineſs for hir ſonne ſervice on entrie to his land," and continues, aſking Ferniehirſt to "look after his intereſts." At the cloſe of the ſame letter he ſays, "We haiv heard ane allarme of your brother Robert his preferment, whereof I am verie glaid, but fall be glaider that it fall pleaſe God to mak him ane inſtrument of what his dewtie fuld oblige him to. I knaw ye truſt in His power that can do alyk with extra-ordinarie or ordinarie meanes. I haiv written as befor to your ſone to England." This refers to his nameſake and couſin the fourth ſon of Sir Thomas Kerr of Ferniehirſt, who firſt appeared at Court about this time; and becoming the King's favourite, was advanced to places of dignity, and raiſed to the peerage as Viſcount Rocheſter and Earl of Somerſet.

Sir Robert Kerr, on his return from France, became one of the Gentlemen of the Privy Chamber in Ordinary to Henry, Prince of Wales. He afterwards was ſent by the King on ſome ſpecial miſſion to Scotland, the object of which is not ſtated. It might, however, have been owing to his holding the office of Captain of his Majeſty's Guard in Scotland, which he reſigned in 1613. As this led to a protracted abſence from Court, he wrote as follows to his friend and countryman, Adam Newton, Secretary to the Prince, entreating his good ſervices, that he might not ſuffer from detractors while abſent.[1]

"Sir—It was your pleaſure that I ſould trouble you in this forme, Therefore I am bold to deſyre the continouance of zour goodwill to me: and that ze will be ane

[1] This letter was firſt printed by Dr. Thomas Birch in his "Life of Henry, Prince of Wales," (p. 249, Lond. 1760, 8vo). It is here given from a collation of the original preſerved with Dr. Birch's papers among the Harleian MSS. in the Britiſh Muſeum (No. 7002, fol. 146).

inſtrument to keep me in my maiſter's fauour now in my abſenſe ; eſpecially thatt no detractor have power to begett an ill opinion of me for deſcharge of this ſervice the King has been pleaſd to putt in my hands. It may be that ſome, becauſe their frends or frends' ſeruants muſt ſmart for their faults, will accuſe me of rigour, [and] hunting after glory rather nor juſtice. If it pleaſe his [Highneſs to] keep ane eare to me at my upcuming, I fall rander ane accompt of every poynt can be layd to my charge ; and, in the mean[time], that out of his gratious favour he will be pleaſd to ſecure me againſt any that fall hinder my good about the King's Ma^tie. and allow any fauour the King will beſtow upone me ; ſince I am one of the firſt of his Highneſs' ſeruants that his Ma^tie. hes employet in this kingdome, as I fall preaſs to be worthie of his princely fauour, and of the place I have aboutt him, which I reckone more nor any thing in this world. In regarding me thus, you ſhall obleis me to remaine your louing frend to ſerve zou, S. Ro. Carr."[1]

From Ancrame House,
27 October 1611.

One of the letter-writers of the time says, it was "ſtrange that three Roberts with the ſame ſurname ſhould be favourites of the King, Queen, and Prince: Robert (Carr), Earl of Somerſet, Sir Robert Carr (of Ancram), and Sir Robert Carey."[2] He might have added a fourth Robert Carr or Kerr, who ſucceeded as ſecond Earl of Lothian in 1609.

In England the name Ker or Kerr was uſually written Car and Carr, and, from the poſition occupied at Court by the two who are firſt mentioned, it happens that theſe Robert Kerrs have oſten been confounded. Both deſcended from the houſe of Ferniehirſt, the King may naturally have taken an intereſt in the members of a family which had ſacrificed ſo much in the cauſe of his mother, Mary Queen of Scots. The following entries, which occur in the Records of the time, doubtleſs refer to Robert, afterwards Earl of Somerſet :—

On Chriſtmas eve, December 24, 1607, Robert Kerr obtained at Whitehall the honour of knighthood, and four days previouſly, Robert Kerr, Groom of the Bedchamber, had a grant of the yearly

[1] The original is endorſed "To his muche honored frend Mr. Newton, Secretary to the Prince Highnes."

[2] Letter, Chamberlain to Carleton, Feb. 1614. *Calendar of State Papers*, p. 124.

rent of £600 for fifteen years :[1] and, December 20, Sir Robert Kerr, a young Scot, was ſworn Gentleman of the Bedchamber.[2] Again, on March 22, 1608, £300 was paid for a tablet of gold, ſet with diamonds, and the King's picture, given by the King to "Robert Carr, Gentleman of the Bedchamber." He was appointed High Treaſurer of Scotland on the death of George, Earl of Dunbar, and created Viſcount Rocheſter March 25, 1611; he was inſtalled a Knight of the Garter May 13 that year; and advanced to the Earldom of Somerſet November 4, 1613. The high favour enjoyed at this time by Lord Somerſet, we may ſuppoſe, would be exerciſed in promoting the fortunes of his couſin, Sir Robert Kerr of Ancram.

The premature death of the accompliſhed Henry, Prince of Wales, November 1612, had been followed by ſeveral changes at Court. In the caſe of Sir Robert, we find that in the following year, November 30, "Sir Robert Ker of Ancram, in preſence of his Majeſtie's Privy Counſell, dimits the captainſhip of his Majeſtie's guard in favour of Sir Andrew Ker of Oxenhame, who was preferred to the ſame, in the room of Sir Robert Ker of Ancrum, who (it is added) is to attend upon the perſon of his Majeſtie's darreſt Son, the Prince;"[3] and Sir John Murray, his father-in-law, in a letter, October 27, 1614, addreſſes him as "The Right Honourable Sir Robert Kar, Gentleman of his Hienes Bed-chamber."

An unfortunate incident in Sir Robert's career occurred in the beginning of February 1620. The Duke of Buckingham ſeems at

[1] Warrants, Record Office, London. [2] See Calendars.

[3] *Balfour's Annals*, vol. ii. p. 44. In the Regiſter of Privy Council at Edinburgh, April 6, 1614, there is "Ane Act quhairby Sir Andro Ker is made Capitane of his Majeſtie's gairdes," etc., in Scotland. It is nearly a verbatim tranſcript of his Majeſtie's miſſive letter and warrant:—"Right truſtie, &c.—Whereas Sir Robert Ker, knycht, gentilman of oure deareſt Sone the Prince's bed-chalmer, is by that place and ſervice ſo tyed to a continewall reſidence heir, as he can not any longer attend the commandement of our Gairdis thair, Wee have therifore maid ſpeciall choiſe of Sir Andro Ker of Oxenhame, knycht, to ſucceed in his place," etc.; dated "At Our Manor of Theobalds, the fyfth of March 1614." Sir Andrew, who was a ſon of Sir Thomas Kerr of Ferniehirſt, remained as Captain for many years.

this time to have been jealous of Sir Robert's influence with the Prince; and Charles Maxwell of Terregles, hoping to ingratiate himſelf with the new favourite, reported a converſation which had taken place at table ſome three months previouſly in ſuch a manner as to be highly offenſive to the Duke. This having come to the knowledge of the Earl of Nithſdale, who was anxious to reconcile the Duke and Sir Robert, he aſked the latter reſpecting the truth of this report. Sir Robert denied having given utterance to any ſuch ſtatement, and appealed for confirmation of what he ſaid to Charles Maxwell, the very man who had circulated the falſe report. Maxwell, upon this, demanded an interview with Sir Robert, ſaying to the Earl, "I ſhall make him confeſs it, elſe it ſhall be dear to one of us." They accordingly proceeded to Sir Robert's chamber, to which he had been confined by a ſevere illneſs for ſeveral weeks. High words paſſed between them, and at length Maxwell ſaid, "I ſee, Sir Robert, there is nothing on your part but a ſtiff denial."

"I anſwer before God and your honourable chief (replied Sir Robert), I juſtly deny it, and am innocent of that aſperſion you ſtrive to lay upon me."

A challenge was immediately given by Maxwell, which Sir Robert accepted, ſaying, "Well, Charles, ſince it can be no better but you will put me ſo hardly to it, I will ſpeak no more to you as friend, and, till this, ſo eſteemed by me, God is my judge, and your chief is a witneſs, whatever ſhall fall out, it is forely ſought [forced] upon me; wherefore I will commit the work to God, and withal paſs the word of a gentleman that the morrow you ſhall find me at the place you have appointed, with as much reſolution to defend a juſt cauſe from an unjuſt diſaſter as you for your part dare avouch to have." Turning to the Earl of Nithſdale, he apologiſed for the diſturbance to which he had been a witneſs, and aſked him, whatever concluſion the matter might come to, "to give either of us our due, as the caſe requires," a requeſt which the Earl faithfully fulfilled. Next day they accordingly met near Newmarket, when Maxwell, to

uſe the Earl's words, "had his reward," his horſe coming in looſe and alone "from the ditch where his maſter lay dead."

The particulars are fully detailed in the intereſting ſtatement written by Sir John Stewart of Traquair, a few years later, and now firſt printed.[1] Even Maxwell's neareſt relations bore Kerr no ill-will on account of this unfortunate occurrence. Sir Robert having delivered himſelf up for trial at the Cambridge Aſſizes, was found guilty of manſlaughter, but the ſentence of being burned in the hand was commuted to baniſhment. A letter addreſſed to Sir Robert himſelf[2] from Drummond of Hawthornden, February 10, 1620, ſtrongly expreſſes the feelings of his friends on that occaſion. Why, he aſks, ſhould he have riſked his life to ſuch a ſwaggering fellow? or, to uſe his own words—

"It was too much hazarded in a point of honour! Why ſhould true valour have anſwered fierce barbaritie? nobleneſs arrogancie? religione impietie? innocencie malice? the diſparagement being ſo vaſte. Was it for knowing this when yee lefte us, that yee graved with your diamond in a window—

> Fraile glaſſe, thou bear'ſt this name as well as I,
> And none doth know in which it firſt ſhall die.

And had ye then to venter to the hazard of a combate the exemplarie of vertue, and the Muſes' ſanctuarye? The lives of twentie ſuch, as his who hath fallen, in honour's ballance would not countrepoiſe your one."

Chamberlain, in writing to Sir Dudley Carleton, February 12, ſays—"Some ten or twelve days ſince there fell out an unlucky accident by reaſon of a quarrel and challenge betwixt two Scotſmen, Sir Robert Ker, near about the Prince, and (Charles) Maxwell, brother to him of the Bed-chamber, who was left dead in the field, though he held himſelf the braver man upon the ſucceſs of having killed one before in Scotland, and another in France. But the King

[1] Page 10. [2] Page 519.

ſays though he pardoned him then, and the French King after, yet it ſeems that God would not pardon him now. Upon the Prince's humble and earneſt entreaty, aſſiſted by the Duke of Lennox and Marquis of Hamilton, together with the Coroner's Inqueſt finding it 'manſlaughter,' the King is pleaſed to remit the offence, and that Ker be reſtored to former favour, the rather that for he was earneſtly urged, and could not by any reaſonable means avoid it."[1]

In March 1620 Prince Charles is found applying for a paſs in Sir Robert's favour, "that he might go beyond ſea, becauſe he will not have his Father's edict ſlighted."

After a period of ſix months' baniſhment, a ſpecial pardon was granted to Sir Robert Kerr, October 23, 1620. He accordingly returned, and reſumed his duties in the Prince's houſehold. Sometime previous to this event he had loſt his wife, the daughter of Sir John Murray of Blackbarony. We have no preciſe account of the date or circumſtances of her death; but Sir Robert, in the following year, contracted a ſecond, and, as it proved, alſo a happy marriage.[2]

Sir Henry Portman, Bart., of Orchard Portman, Somerſetſhire, had been married to the Earl of Derby's eldeſt daughter, the Lady Anne Stanley, in July 1616. In September 1617 Sir Henry was ſaid "to have broken his neck:"[3] this muſt have only been a report, as Chamberlain, on February 27, 1621, mentions the death of Sir Henry Portman, Bart., of Somerſetſhire. He left a young widow, and Sir Robert Kerr a few months afterwards ſucceeded, partly through the intereſt of Charles, Prince of Wales, in making her his wife.[4]

A letter of Sir Robert Kerr about this time firſt introduces to our notice his eldeſt ſon William, the chief perſonage of the preſent volumes. It is dated from St. James', March 29, 1621, when, as will

[1] Nichols' *Progreſſes of King James I.*, vol. iii. p. 587.

[2] *Calendar of State Papers*—(1.) p. 334; (2.) p. 484; (3.) p. 228.

[3] Letter of Sir Edward Zouch, Whitehall, March 23, 1620 (*Calendar S. P.*)

[4] See the Prince's letter in his favour, and the footnote, at p. 26.

afterwards be ſhown, his ſon was proſecuting his ſtudies at the Univerſity of Cambridge.

The next important public event in which Sir Robert was engaged was connected with the propoſed Spaniſh alliance. Prince Charles, accompanied by the Duke of Buckingham, with only two attendants, ſet out in diſguiſe through France on his romantic viſit to the Court of Spain, in January 1623. According to Carleton's letters, on March 5, "Sir Robert Carr has ſet out to join the Prince;" but Sir Edmund Verney, who was one of eight Gentlemen of the Privy Chamber, furniſhes the following details :—"As ſoon as the Prince was eſtabliſhed at Madrid, the principal members of his houſehold were ſent after him by King James. The Adventure, a ſhip of war, was fitted up for their reception, and on the 1ſt April 1623 they embarked. There were on board the following officers of the Prince's houſehold: Viſcount Andover, maſter of the horſe; Lord Compton, who was killed at Hopton Heath, maſter of the wards; Lord Carey of Leppington, chamberlain; Lord Vaughan, comptroller; Sir Robert Carr, gentleman of the bedchamber."[1] Separate accounts were publiſhed at the time of the joyful reception and entertainment of the Prince and his attendants at Madrid and elſewhere. After ſpending eight months in Spain, partly owing to the protracted negotiations, when Urban VIII. was elected Pope, in obtaining a new diſpenſation for the Prince's marriage with the Infanta, and partly to Buckingham's inſolent conduct, the propoſed match was broken off, and the Engliſh party returned in the month of November.[2]

On December 30, 1622, a warrant was iſſued to pay Sir Robert Kerr, for the Prince, £1000. In April following, Sir Robert obtained a penſion for himſelf and his wife Lady Anna Kerr.[3] In reference to

[1] The *Verney Papers*, Camden Society, 1853, p. 107.

[2] Reference may be made to a valuable work, "Prince Charles and the Spaniſh Marriage, 1617-1623," by S. Rawſon Gardiner, 2 vols. 8vo, 1869. Alſo to a volume of the Camden Society's Publications, No. CI., 1869, edited by Mr. Gardiner.

[3] *Calendar of State Papers*, p. 565.

this, the Lord Treaſurer Middleſex writes to Secretary Conway, from Chelſea, April 24,—"the King's favours to his ſervants being without end, deſires a ſpecial warrant for the penſion of £500 for Mr. Carr."[1]

The death of King James, March 27, 1625, neceſſarily produced conſiderable changes at Court. The attachment of Charles, after his acceſſion to the throne, to Sir Robert Kerr remained unaltered; and the letters addreſſed to him by the Earls of Haddington, Balmerino, Rothes, and others, ſhow that they conſidered him to poſſeſs no ſmall influence with his Royal Maſter. The Earl of Rothes, writing to Sir Robert on the 14th of April 1625, aſks him as one engaged "in ſo many greit affaires," and from his regard towards him as "being in my eſtimation far beyond any that is in the perſonall ſervice of our Maſter," to uſe all his influence and power to "move a pacification of thos extremitys which hath fallowed upon the Nouationes impoſed on the Kirk," and the "reſtauration of the Nobility's wonted liberties in Counſell and Parliament."[2] The miſdirected policy of the late King to ſecure uniformity in Church matters, by forcing Epiſcopacy upon the people of Scotland, was unfortunately, however, inherited by his ſon, and became with him an actuating principle. Although oppoſed by perſons of all ranks in Scotland, the King conſcientiouſly perſiſted in this courſe, which, together with his arbitrary proceedings in the Parliament of England, proved the leading cauſe of the Civil Wars; beſides involving a ſeries of perſecutions againſt both Puritans and Covenanters that ſwept over both Kingdoms for ſo many years after the Reſtoration. But this is a matter of general hiſtory, and need not be enlarged upon, except in ſo far as connected with the preſent volumes.

No event of any importance occurred in Sir Robert's career till 1629, when the unexpected death of the King's nephew, Prince Frederick Henry, Count Palatinate, the eldeſt ſon of the King of

[1] *Calendar of State Papers*, p. 568.

[2] Letter from John, Earl of Rothes, to Sir Robert Kerr, p. 35.

Bohemia, took place. The Prince, then in the fifteenth year of his age, was proceeding with his father from the Hague to Amſterdam on the 7th of January 1629, to ſee ſome ſhips which had been captured in the Weſt Indies, when their veſſel, coming into colliſion with another, rapidly filled and ſank. The King of Bohemia, with two or three ſervants, were with difficulty refcued, but the young Prince and nineteen others periſhed.[1] This ſad event naturally occaſioned great grief at the Engliſh Court, and from a note in a manufcript volume at Newbattle, we learn that Sir Robert Kerr was then ſent by the King on a meſſage of condolence. It is as follows:—"This booke [of French legends and proverbs] was given to me by Princeſſe Louiſe, ſecond daughter to the Kyng of Boheme, who writ it with her owne hand. And in it the Princes her brothers, and the Princeſſe Elizabeth her eldeſt ſiſter, wrote doun there names, as they are heer in to be ſeen. This was donne when I was ſent over by Kyng Charles, my maiſter, to the Kyng and Queen of Boheme upon the death of their eldeſt ſonne, Prince Frederick Henry, 1629."

From this time for ſeveral years Sir Robert Kerr appears to have continued his reſidence at Court, abſtaining from taking any very prominent ſhare in public affairs, and ſuch letters as are preſerved between him and his ſon chiefly relate to their own private and pecuniary arrangements. Sir Robert's long letter of minute inſtructions for altering and improving Ancram Houſe, December 20, 1632, with its gardens, trees, approaches, etc., was not intended for his own benefit, and might ſeem ſtrange, unleſs for the circumſtance that the deſire of enabling his ſon to maintain the dignity of the Earldom of Lothian, to which he had been advanced after his marriage with the Counteſs, had led Sir Robert to diveſt himſelf in his favour of the eſtate of Ancram and other property in Scotland. This may have been about two

[1] See letter, Mr. Beaulieu to Sir Thomas Pickering, *Court and Times of Charles I.*, vol. ii. p. 7. As an inſtance of the confuſion cauſed by the ſimilarity of names (ſee p. ix.), it may be mentioned that in this letter Sir Robert Carey is named as the Ambaſſador deſpatched by the King.

years before he himſelf was raiſed to the peerage, and ſuggeſts that he not only was poſſeſſed of ample means to provide for his family by his ſecond marriage, but contemplated a permanent reſidence in England. The Earl of Lothian might therefore well expreſs his great obligations for ſuch unwonted liberality;[1] and his father, during his occaſional viſits to this country, at diſtant intervals, reſided at Newbattle as a viſitor, and not at Ancram as the proprietor.

The viſit of King Charles for his Coronation in Scotland had been poſtponed from year to year until 1633, when the King left London on the 11th of May, and on Saturday the 15th of June, with all his train and royal equipage, he made his triumphal entrance into Edinburgh. On the 18th, having lodged the previous night in the Caſtle, he came in great ſtate to the Abbey Church of Holyrood, where he was ſolemnly crowned. "Becauſe (ſays the Lord Lyon)[2] this was the moſt glorious and magnifique Coronatione that ever was ſeine in this Kingdome, and the firſt King of Greate Brittane that ever was crouned in Scotland; to behold theſſe triumphes and ceremonies maney ſtrangers of greate quality reſorted hither from diverſſe countries." One of "his goodlie traine of attendants" was Sir Robert Kerr, who held the office of Maſter of the Privy Purſe. Balfour ſays, the King, "in honour of his coronation, firſt Parliament, and place of his birth (Dunfermline), he created 1 Marqueſſe, 10 Earles, 2 Viſcounts, 8 Lords." In this number, on June 24, Sir Robert Ker was created "Earle of Ancrum, Lord Niſbett, Langneutone, and Dolphingſton."[3] A meeting of Parliament was alſo held, in the Old Parliament Houſe in Edinburgh, above St. Giles's church, in which various enactments connected with Church matters were paſſed very diſpleaſing to his ſubjects. After the King had viſited Linlithgow, Stirling, Dunfermline, and Falkland, he returned to Edinburgh, and began his journey to the South on the 18th of July.

In the following year, the Earl of Ancram was one of the nobility

[1] See letters, Earl of Lothian, in 1633 and 1634, vol. i. pages 78-84.

[2] Sir James Balfour's Works, vol. ii. p. 199. [3] *Ib.* p. 203.

of Scotland nominated by the King for the Court of High Commiſſion.[1] His non-reſidence fortunately prevented his taking any ſhare in this obnoxious attempt to eſtabliſh a new Star Chamber, and to increaſe the power of the Scottiſh prelates.

The expenſes attending his new rank, and the neceſſity of making proviſion for an increaſing family by his ſecond marriage, made Lord Ancram deſirous of ſome addition to his fortune. In the following letter to Thomas, Lord Wentworth, the Lord Deputy of Ireland, the Earl of Ancram makes an alluſion to theſe circumſtances, while he refers to his long ſervices to King Charles. As the reply by Lord Wentworth is brief, it may alſo be added, although it does not explain the nature of the application that had been made.

The Earl of Ancram to the Lord Deputy.

My Lord, I have ſought your aſſiſtance to thoſe helps I was put upon in Ireland with much reſpect, and I do confeſs your Lordſhip hath anſwered me courteouſly; but all that I ſought was ſtopped by your power there. I follow that purpoſe for children which are of your country and kindred, if Oxford or Derby, or Cumberland be ſo, and on their father's ſide, whatever he can ſay elſe for himſelf, he hath ſerved King Charles with honeſty and diligence in a near place theſe twenty-five years paſt. His Majeſty is willing to reward me. And becauſe he hath much buſineſs, it becometh us to help ourſelves with the leaſt hinder to his Majeſty's affairs that may be, and from caſt up in Ireland, whereby ſo many are enriched. I am confident, my deſires being moderate, will proſper, if your Lordſhip will aſſiſt me. Now I have imparted my mind in general to Sir George Radcliffe, and in particular I will follow it by letters, only by this I deſire to know, if your Lordſhip will think fit to oblige me or not. If you will, I know as well how to be thankful, as to be patient if you refuſe me; ſo referring the reſt to your anſwer after you have ſpoken with Sir George, I take leave for the preſent in this great willingneſs to approve myſelf, your Lordſhip's affectionate friend and humble ſervant,

Ancram.

Court, 10 July, 1638.

The Lord Deputy to the Earl of Ancram.

My very good Lord, Sir George Radcliffe brought me a very gracious recommendation of your particular from his Majeſty, which as you have reaſon to conſider with much comfort, ſo ſhall it be of delight unto me, if it be in my power to adminiſter

[1] See Royal Warrant, Oct. 21, 1634, in Baillie's *Letters and Journals*, vol. i. p. 424.

anything to your Lordſhip's advantage: and therefore I am very ſhortly and truly able rightly to ſatisfy your Lordſhip, that I am in perfect good diſpoſition to hear all that may be for your ſervice, to conſult it, to ſtudy it with ſuch as you ſhall pleaſe to appoint to treat and agent your affairs here, and to contribute to your contentment therein the beſt endeavours of your Lordſhip's moſt faithful humble ſervant,

COSHA, this 27th of Auguſt, 1638. WENTWORTH.[1]

The Earl of Ancram, who had the beſt opportunities of knowing the King's feelings at this time on finding all his moſt cheriſhed ſchemes for Church government in Scotland thwarted, could not but be anxious or feel annoyed at the part taken by his ſon the Earl of Lothian. In the few letters which are ſtill preſerved, one or two ſentences ſeem to indicate this; but whether he was ſubjected to any perſonal inconvenience on this account may be conſidered doubtful. Robert Baillie, in one of his news-letters, February 12, 1639,[2] ſays, "The Marqueſs of Hamilton, for a token of favour, hes gotten to his brother (William, Lord Lanerick) already the Privy Purſe, and a place of the Bedchamber; whence the Earle of Ancrum is removed; whether *for the zeale of the Earle of Lothian, his ſon, in the Countries cauſe*, or for his long and evident infirmity, which made him very unmeet to ly in a prince's chamber, *we doe not yet know*." Baillie has no ſubſequent alluſion in reference to ſuch a report.

It is not unlikely that Lord Lanerick may have been made Keeper of the Privy Purſe about that time,[3] but letters to the Earl of Ancram continued to be addreſſed to him as "Gentleman of his Majeſties bed-

[1] *The Earl of Strafford's Letters and Diſpatches*, vol. ii. pp. 183 and 209.

[2] *Letters and Journals*, vol. i. p. 116.

[3] In the previous month, at leaſt, no ſuch changes had taken place, as the following receipt ſhows:—"January the 2d, 1638 [1638-9].—Received by me, Robert, Earlle of Ancrame, gentleman of his Ma^tie's bedchamber, and Keeper of the Privy Purſe, of Sir William Parkhurſt knight Warden of his Ma^tie's Mynt, the ſowme of fyve hundreth powndes in Angells of fyne gold, for curing the diſeaſe commonly called The Kinges evill, and that frome the firſt of Aprylle laſt bypaſt, in this preſent yeir of our Lord 1638, wnto the firſt of this preſent January 1638[-39], I fay received 500^lb. 00 00." (Original Documents, preſented to the Britiſh Muſeum by Sir William Muſgrove; Additional MSS., No. 5751, fol. 345.)

chamber" until at leaſt March 11, 1644, when he may have reſigned that office, as ſubſequent letters are ſimply addreſſed to him "at London." The Earl of Lothian, October 21, 1640, from Newcaſtle writes, "I am ſorry for the expreſſion in this letter to me, which ſayeth, "nowe that we are in direct oppoſition to our King;" he replies "We are not foe, nor ever ſhalbe: We are but come hither to preſent our humble ſupplications and juſt greavances, and if we do it in armes, it is to ſave and defend ourſelves from his and our enemies. If our intentions had beene otherways, we might have beene nearer [London] where yow are."

There are but few letters known, either written by or addreſſed to the Earl of Ancram between the years 1641 and 1650; and in this eventful period he ſtill continued to keep aloof and take no part in the great political movements that were occurring around him. It is even doubtful at what time his ſervices as Gentleman of the Bedchamber to his royal maſter actually ceaſed. But chiefly owing to the diſtracted ſtate of public affairs he began to experience the effects of pecuniary difficulties by the arrears of penſions accumulating, and receiving only partial payments. We find from the Parliamentary proceedings in June 1643, and at other times, Lord Ancram was under the neceſſity of applying to the Houſe of Commons to obtain payment of his penſion of £500; and likewiſe in November 1645 he addreſſed the Houſe of Lords, claiming his privilege as *the King's ſervant* to be exempted from threatened arreſt and impriſonment by his creditors. Such protection for the ſpace of ſix months was granted, and renewed from time to time, until November 1648, which would extend till May following. But the King's death, January 30, 1649, and the Act of Parliament for aboliſhing of Monarchy and the Houſe of Peers, March 17, deprived his Lordſhip of ſuch protection. It may have been owing to this circumſtance that the Earl of Ancram paid his lateſt viſit to his native country.

The death of Charles the Firſt could not but be deeply felt by his old and faithful ſervant the Earl of Ancram. In his letter to Lord

Balmerinoch, from Weſtminſter, February 22, 1649, ſent with his ſon, he has the following alluſion to the ſad termination of the King's life :

" Though my ſonne Lothian be all my letter, I would not lett him part without this freſh memorandum. . . . This Sonne of myne, whom God hath been pleaſed to be ſo ayrly and aſſidowuſly employed in this publique buſines, is cum'd to be alſo an eye-witneſs of a ſadder ſpectacle than ever we thought would grow out of it. The King of kyngs enable him, and all of yow who are behynd, to do that which is moſt for God's glory, and the good of the Churche and his people in it, everywhere ; and at this lock am I creeping down the hill, or rather upp the hill from this world to a better."

Among Lord Ancram's ſtray papers I have the following ſhort note, which furniſhes the date of his viſit to Newbattle. It has no addreſs, and I cannot ſo much as form a conjecture as to the work called a "ſtory," to which he alludes, and therefore cannot ſay whether it ever was publiſhed :—

Sir, I ſend this to deſyre yow to ſend me your ſtory, that I may content my ſelf to ſee your digeſting of it; and I promiſe no body els ſhall ſie it, and haſte it back agayne to yow when yow pleaſe, with my confirm'd hartye kyndnes to yow and all yours, as your moſt loving friend and ſervant, Ancram.

Newbattle,
29 Novemb. 1649.

We know alſo from the letter, from London, of his daughter Lady Vere Carr, that Lord Ancram was in that month at Newbattle, when she fays—

" I am, in my owne name and my Ladyes and Siſters', to give you thancks for the kindneſſe you ſhew to our Father, being confident the Lord will reward it to you. Wee are doing what in us lyes, that he may not bee burdenſome to you, and to gett things into a poſture that hee may be with us with comfort, if not with ſplendour. I am become an importunate ſuitor to our judges heere. If I can but prevail to gett our 10lb. a week againe continued to us, which has bin ſoe long under reſtraint, I ſhall thinck I have made a good concluſion for this bout. I gett a greate many good words, and upon that I have built ſome hopes of finding ſomething anſwerable in time, but the motions of our rulers are ſlow. I attend them with all the faith and patience I am able."

Such expectations were not realiſed, and the Earl of Ancram, inſtead of returning to London, no doubt took advantage of a veſſel

from Leith to Holland, haſtened, it might be, by Cromwell's invaſion of Scotland, as he had arrived at the town of Dordrecht or Dort in September 1650.

At the end of October Lord Ancram had taken up his reſidence at Amſterdam, as the Earl of Calendar, in the poſtſcript of his letter (p. 318), ſays—"Your noble father and I are together, in whoſe company I think myſelf happy."

Sir William Makdowell, in writing to Lord Lothian from the Hague, February 1651, ſays,—"The Earl of Ancrum, your Lordſhip's father, has a neceſſity of your Lordſhip's preſent aſſiſtance. I ſhall do what I can, but I proteſt I have aneuch ado to ſubſiſt my ſelf, and am clogged with my neceſſiteus countrymen." Again, in the ſame month, he ſays (p. 330)—"Becawes I go hoom to my awen hows for my particular affaires I ſchall pray your Lordſhip's father, the Earl of Ancram, go alonge with me to ſtay till your Lordſhip ſent proviſion for his neceſſitie, and ſupplé his Lordſhip all the ſervice I can" (p. 339). In April that year the ſame requeſt is thus urgently made :—"As your Lordſhip hes bene pleaſed to recommend to me in a letter of the 10 March, from Monros, your father, the Earle of Ancram, and your two ſonnes, I ſchall peremtorye obey your Lordſhip's order to the extent of my power, as I have alreddy geven bond to Thomas Morton, merchant at Amſterodam, for two thowſand gilders or two hundred lib. ſterling for his Lordſchip, which I beſeach yow cawes promptly to be payed to him, as alſo to continow your Lordſhip's favour towards me" etc. (p. 354).

The Earl of Ancram's letters, written from Holland during the laſt four years of his life, relate chiefly to the increaſing difficulties he experienced for the means of ſupport. Both his wife and his ſon had contributed as much to his comfort as they were enabled. In the letter of the Counteſs of Ancram to Lord Lothian, July 23, 1652, ſhe ſays—"I think I need not tell you of my affliction: Your father being baniſhed, and all our meanes taken from us, our ten pound a weeke ſuſpended ever ſince the late King's death, that I have not

been able to afford him the leaſt releefe: All my joynter being [having been] ingaged by your father, and, upon every part of it, extent upon extent, that if it had not been for ſome, that were meere ſtrangers to us, and did compaſſionat my ſad condition by ſometimes furniſhing us with meate and fyer, *I and my children had ſtarved.*" The Earl himſelf, as the ſame letter further ſtates, was conſtrained, on account of his debts, to remain in Holland. His wife, addreſſing Lord Lothian, alſo refers to "the many ſad letters which I get weekly from my Lord your father of his great wants, and of the diſagreeing of the place where he is with his health and age. Therefore his deſier is to retyer thens to a more obſcure place, where he may get ſome wholeſomer ayre, untill it ſhall pleaſe God to ſend him releaſe and ſubſiſtence with us."

But what could his friends do for his permanent relief? Their penſions accumulating, and their property partly confiſcated. The Earl of Lothian himſelf, on account of public debts, had been put *to the horn*—that is, proclaimed an outlaw, and beyond the protection of law. Yet, Lord Ancram was cheered by the viſit of two of his grandchildren, who had been ſent abroad for their education. On February 10, 1652, he writes—

Your children are in good health, God be thanked, and I am chayned to this place, where I muſt ſtay a priſoner or a pawne for my ſelf till I quyte [clear off] the ſcore. I have not yet payed a penny for ſince the 3 of September a yeare agoe; now, it is the ſix moneth more. . . . Meane tyme, I lye for it, and ſhall lye till I dye, if I be not relieved one way or other. They wryte to me from London many fayre promiſes of the Parliament's; butt I have received no performance of them eyther to me or themſelfs. For my wyfe's weekly mantenance of 10 pound a weeke, if they gett it, I am ſure to gett my pairt of it, and I ſhall as ſurely free all I am owing; for I am now leirn'd to be "penny wyſe," thogh I was formerly "pound foole." *If I gett it not, I muſt leave all obnoxious to it, who, I hope, will own me when I am dead.* Till then I attend the will of God for Kyng, country, and all my intereſts in them is your moſt loving Father,

ANCRAM.

The Earl of Ancram's laſt letter, addreſſed to the Earl of Lothian, informs him that his two ſons had, in good health, ſet out for France,

along with their tutor Mr. Young, who had recommended this for them as a change of air, concluding with theſe kind affectionate words :— "There is nobody more dear than you and yours are to your moſt loving father, ANCRAM.

"Lett my love be warmly remembered to your wyffe, and to all your children by their names, and Margaret Faſyide.—Amſterdam, December 9, 1654."

It muſt have been after a very brief illneſs that this good old man, that ſame month, died at Amſterdam, having attained the ripe age of ſeventy-ſix. For this event he had long been prepared, as teſtified by various paſſages in his letters. In December 1653 he ſays—"*I am ſtriving, by God's aſſiſtance, to be ready to die.* . . I deſire but to make a quiet end among them I am bound to, and then layed in any Chriſtian buryall, without any pompe or ceremony." . .

In this deſire to have returned to his native place, and to be laid peaceably, and without parade, among his friends and relations, the Earl of Ancram could not be gratified. It will be ſeen how little he was indebted to the kindneſs of ſtrangers for the performance of theſe laſt ſervices; but his aſſurance was not unfounded that his family would never allow his debts and funeral expenſes to remain undiſcharged.

The three intereſting letters addreſſed to the Earl of Lothian by William Malyn, private ſecretary to Cromwell in the year 1655, are connected with the Earl of Ancram's affairs. In the firſt—"I received your Lordſhip's with that encloſed to his Highneſſe. Your Lordſhip was pleaſed to deſire me to further your deſires to his Highneſſe, that his Highneſſe former order might not be altered. Truely, my Lord, before your Lordſhip's came to my hand, 580 od pownds were returned by bills of exchange, and his Highneſſe hath ordered the greateſt parte of it to be ſent into Holland for diſcharging of the debts of the late Earle of Ancram, defraying of the expenſes of the interment of his corps; and that the remainder ſhould goe to the releife of the Counteſſe and her family. But ſince (it

is added) we underſtand that the whole ſoume will hardly reach to anſwere thoſe debts, and the charge of the funerall, the Counteſſe is reſolved not to meddle with a penny of it, that thoſe debts and expenſes may be ſatisfied."

Another letter, in May 1655, or four months after the Earl of Ancram's deceaſe, contains the ſtartling information that his creditors in Holland had arreſted his dead body before its interment in order to ſecure payment of his debts; and that CROMWELL, to his honour, on hearing of this diſgraceful proceeding, commanded the Secretary of State to take immediate ſteps in the matter. Malyn's words are as follows: "As for the penſion, I formerly gave your Lordſhip an account how that money which was returned from Leith hath been diſpoſed of, to witt for the ſatisfying of debts in Holland; but I heare that ſome of the creditours are ſoe rigorous and exacting, that the whole money will not ſatisfie them, *and that the corps remayne yet uninterred;* and therefore I lately moved his HIGHNESSE to ſend to the Dutch Ambaſſadour here, to write to the States in Holland, that the funerall might not be diſturbed by the creditours, which his Highneſſe commanded the Secretary of State to ſignifie to the Ambaſſadour."

Could he have foreſeen this, he might have uſed the words of Wolſey (as in Shakeſpeare's Henry VIII.)

> "An old man, broken with the ſtorms of ſtate,
> Is come to lay his weary bones among ye;
> Give him a little earth for charity!"

The attachment of the Counteſs of Ancram to her huſband, as diſplayed in her conduct all this time, ſo free from anything approaching to ſelfiſhneſs, while providing for his ſupport and comfort in his old age, ought not to paſs unnoticed.

LADY ANNE STANLEY, daughter of William, ſixth Earl of Derby, and of Elizabeth Vere, was born about the cloſe of the ſixteenth century. She married in 1621, for her ſecond huſband, Sir Robert Kerr, who was created Earl of Ancram in 1633. Her brother James, ſeventh Earl of Derby, diſtinguiſhed for his loyalty, was taken pri-



LADY ANNE STANLEY, COUNTESS OF ANCRAM.

From the original by Van Somer at Newbattle Abbey.

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... this, he might have ufed the words of ... Henry VIII.)

... with the ... ftate,
... ye;

old age ...

I ... and ... Elizabeth ... She married ... Kerr, ... James, ... taken pri-



LADY ANNE STANLEY, COUNTESS OF ANCRAM.

From the original by Van Somer at Newbattle Abbey.

ſoner at the battle of Worceſter, September 3d, 1651, and was condemned and beheaded at Bolton in Lancaſhire in October following. Her own family conſiſted of two ſons and four daughters (ſee Genealogical Tables, No. III.) Charles, the eldeſt ſon, ſucceeded his father as ſecond Earl of Ancram in 1655. He died about the year 1680, without iſſue, when the title was merged with that of Lothian; Stanley Kerr, his ſecond ſon, whoſe name is omitted in the Engliſh peerage, having died young.

The Earl of Ancram's mother, Margaret Dundas, daughter of Archibald Dundas of Fingaſk, as already ſtated, married for her ſecond huſband, in 1590, Sir George Douglas of Mordington, His eldeſt ſon, George Douglas, after receiving a learned education, devoted himſelf to a military life, and, like many of his compatriots, ſerved under *the Lyon of the North*, Guſtavus Adolphus, in 1623. He received the honour of knighthood from Charles the Firſt, and was appointed Ambaſſador for "concluding of peace or truce between Suethland and Poland, anno 1635." Sir George died ſuddenly while at Damin in Pomerania on the 15th March 1635-6. His nephew, Sir William Lockhart of Lee, then a youth aged fifteen, was in his company. After ſome delay, we are told, his body having been brought from Hamburg to the pier of Leith, was, " by a great concourſe of honourable company, attended, not long after, to the tombe of his anceſtors."

An account of Sir George Douglas by his Secretary is ſubjoined to a work entitled " The Hiſtory of the Troubles of Suethland and Poland, etc., Concluding with a briefe Commemoration of the Life and Death of S^r^ George Duglas knight, Lord Ambaſſadour Extraordinary from the late King of Great Brittaine, for the treaty above mentioned (Treaty of Pacification, Anno 1635), by J. Fowler, Secretary to his Lordſhip for that Embaſſy." London, 1656, folio. The author dedicates the work "To his Highneſſe the Lord Protector." He was, moſt likely, related to William Fowler, uncle of

Drummond of Hawthornden, and would be well acquainted with his family, when he fays of Sir George Douglas,—"He was a native of Scotland, and defcended from that branch of the honourable houfe of the Duglaffe entitled the Baronnie of Torthorrell, being fon to Sir George Duglaffe knight, whofe father (whileft living) had been, and whofe brother then was lord thereof. His mother was of the houfe of Dundafs, a family of good repute in that nation, as being both ancient and noble. His father came into England either with, or foone after King James, bringing with him his children (whether his lady were then living I cannot fay), George, of whom the prefent mention is made; James, and Martha, fince married to Sir James Lockhart of Leigh [Lee], in Scotland, and then of the privy chamber in ordinary to the late King.

"His education (after fome yeares fpent in the fchooles) was at the Univerfity of Oxford (if information erre not), and he fo much a fcholar as that the Latine tongue was familiar to him both by fpeech and pen, not onely for ordinary but likewife for elegant expreffions; neither was he ignorant of the Greek; but, thinking the fchooles an over foft courfe of exercife, he left them and betook himfelfe to armes, as more fuitable both with his complexion and difpofition."[1]

Lord Ancram's mother is alfo mentioned by John Weemes, A.M., of Lathocker, of an ancient family in Fife,[2] who was minifter of Dunfe, and was preferred to a prebendal ftall in the Cathedral of Durham in June 1632, which he held in conjunction. He was the author of various works, collected in 4 vols. 4to, London, 1636.[3] One of his works, firft publifhed at London, 1632—"An Expofition of the Ceremoniall Lawes of Mofes, as they are annexed to the Tenne Commandements;" has a dedication "To the Right Honourable Sir Robert Ker of Ancram knight, Gentleman of King Charles his Bed-Chamber," which, as containing an intereffting allufion to Sir Robert and his family, may be quoted.

"And now Sir, I dedicate this part of my labours to you, that it

[1] Fowler's *Hiftory*, etc., 1656, p. 216. [2] Douglas's *Baronage*, p. 553.
[3] Weemes died in November 1636, aged about 57. (Scott's *Faſti*, etc., vol. i. p. 404.)

may remaine a note of my thankfulneſſe for your favours to mee. I know Sir, that yee will make better uſe of it, then moſt men in theſe dayes doe with ſuch Treatiſes, caſting them by. . . . But I know Sir, your breeding craveth another thing of you, who was bred up under ſo wiſe and religious a mother, who for the education of her children, was another MONICA, as your ſelfe and your vertuous ſiſter, Miſtris Katherine, are ſufficient proofes. I cannot paſſe by her name upon this occaſion, whoſe life and death was to me an inſtruction. Good cauſe have you to keepe that methode, as yee have begun it in your eldeſt Sonne, ſo to proſecute the ſame with your many hopefull children, which God hath given you by your Noble match, which is one of the beſt borne Ladyes of this Land, who dignifieth her birth by her Chriſtian, humble, and godly life. Sir, beleeve mee that godlineſſe is more true Honour to you than your birth, although you bee never ſo well deſcended, and to bee more eſteemed, than the place which yee have about our Gracious King, and more than all morall vertues whatſoever."

The dedications of ſuch books ſhould not be neglected. There may be ſome which have eſcaped my recollection, but the two that follow are worthy of notice. The firſt to be mentioned is a little volume of Moral Emblems, in Latin and Engliſh verſe, by Robert Fairlie, Scoto-Britannus, printed at London, 1638, 12mo.[1] As nothing is ſaid reſpecting Fairley when his Emblems and name were recently revived in a handſomely illuſtrated volume of Emblems,[2] it may be

[1] The title is:—"Lychnocauſia ſive Moralia Facum Emblemata. Lights Morall Emblems. Authore Roberto Farlæo Scoto-Britanno. London, printed by Tho. Cotes, for Michael Sparke Junior, 1638," 12mo. It is addreſſed, "Nobiliſſimo et Illuſtriſſimo Domino omnifariæ Virtutis et Pietatis ſtudiis ornatiſſimo, Dom. Roberto Karo, Comiti ab Ancram," etc.

[2] The title of this modern republication is as follows:—"Moral Emblems, with Aphoriſms, Adages, and Proverbs, of all ages and nations, from Jacob Cats and Robert Farlie. With Illuſtrations freely rendered, from deſigns found in their works, by John Leighton, F.S.A.; the whole tranſlated and edited, with additions, by Richard Pigot, Member of the Leyden Society of Netherlands Literature. London, 1860, 4to." The volume was again publiſhed in 1862. It is from the first of two volumes that Fairlie's Emblems are ſelected; and no notice is taken of the dedications.

added that he was a native of Edinburgh, born about the year 1605. He took his degree of A.M. at the univerſity in July 1624, and became (if I miſtake not) maſter of the Grammar School of Muſſelburgh. Having been a ſucceſsful teacher of Latin for many years, he came forward as a candidate, without ſucceſs, for the office of Regent or Profeſſor of Humanity, in 1638. In the contemporary hiſtory of the Univerſity of Edinburgh, the author, Thomas Craufurd, ſays—"Two competitors appeared—Mr. Robert Fairly, ſon to an honeſt citizen, laureat anno 1624, and long practiſed in the profeſſion of humanity, *cum laude;* and Robert Young (named before), ſon to Mr. Andrew Young, late miniſter at Abercorn. The rigorous tryal *ad aperturam libri* was made uſe of. No man doubted but the firſt named (having ſo many advantages, and being ſo well ſeen in humanity) ſhould carry the prize. But it pleaſed the Lord ſo far to deſert him at that time, that no man did voice for him, whereupon Mr. Robert Young was admitted Profeſſor of Humanity, 14th November 1638."

Fairlie's dedication of his Emblems, in 1638, to the Earl of Ancram, concludes with eighteen lines of Latin verſe, of which the firſt four may ſuffice—

KARE Caledonios inter digniſſime Divos,
Nobilitatis apex, et Pietatis Honos;
Chara Dei ſoboles, et Regi fidus Achates,
Unica Muſarum cura, meumque decus.

Nobilitati Tuæ devotiſſimus,

ROBERTUS FARLÆUS.

After theſe lines follows a poetical addreſs to Lady Ancram:—

To the moſt Noble and Illuſtrious Lady, both for Nobility and Piety, as of Vertue a rare and peerleſſe example, LADY ANNE KARE, COUNTESSE OF ANCRAM.

The Lizards eyes the face of man amazeth,
Looking on which the more and more it gazeth:
When I your heaven infuſed graces view,
Madam, my ſenſe amazed ſtares on You.

Heaven tempers ſo its gifts in You alone,
As that all graces ſeeme combin'd in one;
When I do homage to Nobility,
Straight on it doth reflect Your piety;
So earthly glory and that of heav'n begun
Makes You a glorious object like the Sunne,
Which darteth forth ſo many rayes of light,
As that they dazle this my ſcantling ſight.
In You great *lunos* ſtately majeſtie
Is fraught with Chriſtian love and charity
You have what vertues learn'd *Minerva* hath,
And for her *ægis*, you are arm'd with faith.
What's *Venus* beautie to Your ſacred face,
Which is the Phyſiognomie of grace.
If for the golden apple there ſhould be
A ſtrife amongſt the goddeſſes; To thee
Let *Paris* give it, ſo he ſurely ſhall
Pleaſe all the three, Your ſelfe being more than all.

Your Honours humble, and moſt devoted to ſerve you

ROBERT FARLIE.

Fairlie publiſhed another volume of Emblems, in the ſame year :—"Kalendarium Humanæ Vitæ: the Kalender of Mans Life, Authore Roberto Farlæo, Scoto-Britanno. London, printed for William Hope," 1638. 12mo. The dedication is "Illuſtriſſimo et Nobiliſſimo Domino, Dno. Roberto Karo, Comiti a Summerſet, etc."

A republication of the well-known work of Florentius Voluſenus (1543),[1] was edited by David Echlin,[2] in 1637, author of various Latin poems, who, after ſpending ſeveral years connected with foreign

[1] "De Animi Tranquillitate Dialogus, Florentio Volufeno Autore. Lugduni (Lyons), apud Seb. Gryphio, M.D.XL.III.," 4to. Echlin's edition was printed at *Lugduni Batavorum* (Leyden), 1637. Some copies have a new title-page: *Hagæ Comitis* (The Hague), 1642, 12mo.

[2] Echlin was educated at St. Andrews, and while at Paris in 1602, he publiſhed his Latin poem *Ova Paſchalia*, included in the *Delitiæ Poetarum Scotorum. Amſt.*, 1637.

colleges, became phyſician to the Queen of Charles the Firſt. It is addreſſed to the Earl of Ancram—

"Generoſiſſimo Domino Roberto Caro, Comiti de Ancram: Carolo Magnæ Britanniæ, Franciæ, et Hiberniæ Regi, ex Intimis, a Secretiore Cubiculo;" and ſigned "Patrocinio tuo plus quam plurimum devinctus, ac devotus David Echlinus, Mariæ, Mag. Britanniæ, Fran., et Hiber. Reginæ Medicus."

Another work to be noticed is the volume of Latin Poems[1] of David Hume of Godſcroft, collected and publiſhed by his ſon James Hume, at Paris, in 1639. It includes ſome verſes addreſſed to Lord Ancram, by the Editor, which may be quoted, as they contain alluſions to ſome of their mutual relations.

Ad Nobilissimum Virum D. Robertum Carum,
Comitem Ancramium, et Serenissimo
Magnæ Britanniæ Regi a triclinio.

Te non ad tantos fors cæca euexit honores,
Et genere, et meritis munera digna tuis,
Humia gens, Cari, Dundaſſorumque propago;
Eſt genus hæc matris, eſt genus illa patris,
Eſt vetus indomitis gens Humia cognita Scotis,
Et bellatoris cognita facta Cari,
Clara patris ſoboles, et claro digna parente,
Conſilio promptus, promptus vterque manus.
Eſt tibi Rex cura, quum claudit lumina ſomno,
Siue patent ſomno lumina caſta ſuo,
Et poſt bis denos jam quintus voluitur annus,
Rex triplici regno munera bina dedit,
Rex torquem dedit, et poſt munia longa corollam,
Quam placuit titulis accumulare tuis,
Vt triplici regno triplex respondeat, opto;
Poſtremum titulos euehat vſque tuos:
Mens generoſa, fides, pietas, prudentia, candor;
Hec poteris titulis adnumerare tuis.

[1] The title is "Davidis Humii Wedderburnenſis Poemata Omnia. Acceſſere ad finem Unio Britannica, et Prælium ad Lipſiam ſoluta oratione. Pariſiis, 1639," ſmall 8vo. "Jacobi Humii filii Davidis Humii, Theagrii Wedderburnenſis Carmina," are introduced into this volume at pp. 139-152.

We have no direct evidence that Sir Robert Kerr, either before or after he was created Earl of Ancram, appeared before the public in the character of an author. Living so much in the literary world, and on intimate terms with some of his countrymen connected with the royal household who distinguished themselves by their works, we might suppose he would have followed the example, for instance, of Sir Peter Young, Sir Robert Aytoun, Sir David Murray, or Sir William Alexander, Earl of Stirling; while Drummond of Hawthornden, in a letter (see p. 519) calls him "the exemplarie of vertue, and the Muses Sanctuarye." If the correspondence that passed through his hands as a confidential servant of Prince Henry and Prince Charles had been preserved like that of John Murray of Lochmaben, "gentleman of his Majesty's bedchamber," and afterwards created Earl of Annandale, it would have been invaluable. In the extensive collection of letters referred to, one of them, relating to the vacancy of the See of St. Andrews, is addressed to Sir Robert by Alexander Forbes, Bishop of Caithness and Aberdeen, in May 1615.[1] One of Sir Robert's correspondents was Dr. John Donne, Dean of St. Paul's, London. In the posthumous volume of Donne's Letters, 1651, there are twenty-four letters addressed by him to Sir Robert Kerr, ten of which are selected and printed, vol. ii. pp. 502-521; but not one of the autograph letters or any of the replies can be discovered.

Horace Walpole, in his *Catalogue of Royal and Noble Authors*, 1758, mentions Lord Ancram's name thus briefly: — "I find a short but very pretty copy of verses from him to Drummond of Hawthornden, one of the best modern historians, and no mean imitator of Livy." This alludes to his *Sonnet in Praise of a Solitary Life* (see p. 522). In sending this sonnet to Drummond, he says, as to his verses, "It is true I get leisure to think few, not that they are

[1] In the Ecclesiastical Letters, etc., printed for the Bannatyne Club, 1851, vol. ii. p. 437. The Primacy, however, was conferred on John Spottiswood, Bishop of Glasgow.

cara becauſe *rara*, but indeed to declare, that my employment and ingine concurr to make them, like Jacob's days, few and evil. . . The beſt is, I care as little for them as their fame; yet, if you do not diſlike them, it is warrant enough for me to let them live till they get your doom."

According to Drummond's letter (p. 24), while Dr. Donne, in his travels on the Continent, was ſaid to have left his MSS. in the care of Sir Robert Kerr, in like manner he tells us Samuel Daniell, the eminent Engliſh poet, bequeathed to Sir Robert his various *ſcrolls* or papers. "Such legacies (Drummond adds) to ſome other might be a piece of an epitaph, though not to you that builds your fame on higher ſeated praiſe. The theame is too vaſt for ſo little paper, and cannot want ſome excellent wit of the poſteritye to meaſure it."

The Metrical Pſalms by Sir Robert Kerr in 1624 are now printed for the firſt time (pp. 487-506). Four of theſe Pſalms profeſs to be tranſlated from Buchanan. He ſeems indeed to have taken our great Latin poet as the model of his own paraphraſtic verſions; and although done for "myne own recreation," they exhibit the work of no unpractiſed hand.

In the preceding pages I have endeavoured to give a brief ſketch or Memoir of the Earl of Ancram. His intimacy with the chief literary men of his time, and the eſteem which they manifeſtly bore him, afford abundant evidence, although no publiſhed work bearing his name as author is known, that he occupied a prominent place among them. The poſition he held at Court, in troublous times, called for more than ordinary prudence; but with undeviating attachment to his Royal Maſter, and acting always on high principles, his amiable diſpoſition and conſiſtent conduct and accompliſhments endeared him to both parties; and while he had to ſtruggle with adverſity in the latter period of his life, he bore his trials with ſo much Chriſtian reſignation and fortitude as to preſent a ſpectacle that cannot fail to be admired, and is worthy to be cheriſhed by his deſcendants.

PAPERS RELATING TO PENSIONS GRANTED TO ROBERT, EARL, AND LADY ANNE, COUNTESS OF ANCRAM.

IT will be ſeen at page xvi. that King James had granted a penſion of £500 to Sir Robert Kerr and his wife, Lady Anne Stanley, upon his return from Spain in 1623. Soon after he had been raiſed to the peerage as Earl of Ancram, he ſeems (according to the "State" by the Counteſs in 1654, p. xliii.) to have obtained from Charles the Firſt a larger penſion of £2000. Theſe ſums continued probably to be paid in due courſe until ten years later, when all ſuch matters came directly under the control of the Engliſh Parliament.

In bringing together, as an Appendix, the ſcattered notices on this ſubject, extending over a period of eleven years, it may be more convenient to arrange them according to their dates in two separate diviſions—(1) as Parliamentary Proceedings, and (2) Exchequer Papers.

I. EXTRACTS from the HOUSE of LORDS and the HOUSE of COMMONS JOURNALS, 1643-1653.

C. 19 CAR. I. 1643, June 16.—Upon the humble petition of Rob., Earl of Ancram, it is *Ordered* that when the ſaid Earl can find out a conveniency whereby Sir Rob. Pye may pay Five Hundred Pounds to the ſaid Earl of Ancram; that Sir Rob. Pye, upon acquainting the Houſe therewith, ſhall pay the said Five Hundred Pounds, unleſs the Houſe ſhall take Order to the contrary.[1]

C. 19 CAR I. 1643, June 26.—*Ordered*, that Sir Rob. Pye do pay unto my Lord of Ancram Two Hundred and Fifty Pounds out of the Exchequer, being part of Five Hundred Pounds formerly ordered to be paid to my Lord of Ancram, out of the Exchequer by an Order of [*blank*].[2]

C. 20 CAR. I. 1644-5, February 25.—The humble petition of Robt., Earl of Ancram, Gentleman of his . . . Bed Chamber, deſiring ſome allowance

[1] Houſe of Commons, vol. iii. p. 131. [2] Ibid. p. 144.

of the penſion due unto him, was this day read; and it is *Ordered*, That it be recommended unto the Committee of the Revenue to pay unto the petitioner Five Hundred Pounds, with all convenient ſpeed.[1]

21 CAR. I. Auguſt 28.—*Ordered*, That the humble petition of Robert Earl of Ancram, this day read in the Houſe, be recommended to the Committee of the Revenue, to conſider of an expedient for his preſent relief.[2] C.

Earl of Ancram's Petition for Privilege as a King's ſervant.

21 CAR. I. 1645, November 15.—Upon reading the Petition of the Earl of Ancram, a ſervant to His Majeſty, deſiring "the protection of this Houſe as his privilege, in being the King's ſervant." (Here enter it.) L.

It is Ordered, To be conſidered of on Tueſday morning next; and the Proceedings of this Houſe to be conſidered of, whether privilege in this kind hath not been denied to the King's ſervants.[3]

Paper from Scots Commiſſioners.

(Same date.)—A Scotch Paper was read, and ordered to be ſent to the Houſe of Commons. (Here enter it.) L.

E. of Ancram's Petition for Privilege as a King's ſervant.

To the Right Honourable the Houſe of Lords, the Petition of Robert, Earl of Ancram;

Humbly Sheweth,

That whereas your Petitioner's eſtate, lying moſt part of it in Somerſettſhyre, where he can receive nothing of it, becauſe the Armies have been there ſo long, the tenants pretend that all they have is taken by the ſoldiers, and for paying of aſſeſſments. L.

And whereas he hath, out of the Exchequer, a penſion for his long ſervice in the King's Majeſty's Bed-chamber, whereof he can receive little, for the public charge, as is well known to the Committee of the Revenue; his creditors notwithſtanding do daily importune him, and threaten him with arreſts, and impriſoning of his perſon.

May it therefore pleaſe your Lordſhips to conſider the degree he hath in the kingdom where he was born, and in what manner he hath lived in this kingdom as gentleman of his Majeſty's Bed-chamber ſince 1612, year of God; and though he hath not the privileges of this kingdom, your Lord-

[1] Houſe of Commons, vol. iv. p. 62. [2] Ibid. vol. iv. p. 255.
[3] Houſe of Lords, vol. vii. p. 705.

ſhips will be pleaſed to think it very unfit that he ſhould be obnoxious to the affronts of every common officer who may do him public diſgrace.

And therefore be pleaſed to grant him a protection, for the ſafeguard of his perſon and goods, until ſuch time as he may be enabled, by the payment of that which is due to him, to give his creditors ſatisfaction, whereof he is moſt careful.

And your Petitioner ſhall pray, etc.

ANCRAM.[1]

L. 21 CAR. I. 1645, December 24.—*Ordered*, That the Earl of Ancram ſhall have the protection of this Houſe for his perſon and goods from being arreſted, until Midſummer term next, and all perſons whom it concerns are to take notice hereof.[2]

E. of Ancram, a Protection.

L. 22 CAR. I. 1646, June 2.—*Ordered*, that the Earl of Ancram's protection ſhall be renewed for ſix months longer from the date hereof, in regard of the great debt which is owing to him from this ſtate.[3]

E. of Ancram's Protection renewed.

L. 22 CAR. I. 1646, November 17.—*Ordered*, that the Earl of Ancram ſhall have his protection further enlarged for ſix months longer, from the expiration of the laſt ſix months, which ends the 2d of December next enſuing.[4]

E. of Ancram's Protection continued.

L. 23 CAR. I. Anno 1647, May 20.

To the Right Honnorable the Speaker of the Houſe of Peeres *pro tempore*.

Letter from the Scots Commiſſioners, recommending the E. of Ancram to have the arrears of his penſion.

RIGHT HONNORABLE, The Earle of Ancram, for many yeares haveing faithfully ſerved his Majeſty as Gentleman of his bed-chamber, ſince the begining of theſe troubles hath conſtantly adhered to the Parliament; for which he hath ſuffered much from the enemy in his eſtate, whereby he hath bin forced in theſe tymes to contract greate debts, for maintenance of himſelfe, his Noble Lady, and many children; and is now brought to ſuch extremityes, as he is neither able to provide for their entertainment, nor to ſattisfy his creditors, unleſſe the Honnorable Houſes ſhal be pleaſed to give

[1] Houſe of Lords, vol. vii. p. 706.
[2] Ibid. vol. viii. p. 65.
[3] Ibid. p. 344.
[4] Ibid. p. 568.

order for payment of his Lordſhip's penſion, whereof there is a conſiderable ſumme due in arreare. The Parliament of Scotland hath ſeverall tymes recommended his Lordſhip to the Honnorable Houses; and now againe, according to their directions, wee doe earneſtly intreate that they wil be pleaſed to take his condition ſeariouſly into conſideration, and to appoint ſuch a certaine way for payment of the arrears to his Lordſhip, and of his penſion for the future, as he and his family may be enabled to ſubſiſt and to give ſattisfaction to his creditors, which ſhall exceedingly obleige your Lordſhip's moſt humble Servaunts,

CHARLES ERSKINE
HEW KENNEDY. RO. BARCLAY.[1]

WORCESTER HOUSE, the 17th of May 1647.

23 CAR. I. 1647, May 27.—The Lords have received a letter from the Commiſſioners of Scotland, touching the Earl of Ancram: The Lords approve of it; and recommend it to your conſideration. . . The letter from the Commiſſioners of Scotland, from Worceſter Houſe, of Decimo ſeptimo Maii 1647, on the behalf of the Earl of Ancram, was read.

The queſtion was propounded, That the ſum of Fifteen Hundred Pounds ſhall be beſtowed upon the Earl of Ancram.

And the queſtion being put, Whether this queſtion ſhall be now put;

The Houſe was divided—

The Noes went forth.

Mr. Holles,	Tellers for the Yea:	113.
Sir John Clottworthy,	With the Yea:	
Mr. Bond,	Tellers for the Noe:	57.
Mr. Boys,	With the Noe:	

So that the queſtion paſſed with the affirmative.

Reſolved, That the ſum of Fifteen Hundred Pounds be beſtowed upon the Earl of Ancram: and that the Committee of the Revenue do pay the ſaid ſum of Fifteen Hundred Pounds unto the ſaid Earl of Ancram, accordingly.

[1] Houſe of Lords, vol. ix. p. 199.

C. *Reſolved*, etc., That the allowance of Ten Pounds per week, formerly granted, and ordered to be paid by the Committee of the Revenue to the Earl of Ancram, for his ſupport and maintenance, be continued ſtill to be paid unto him, until the Houſe take further Order.[1]

L. 23 CAR. I. 1647, May 28.—Anſwer from the Houſe of Commons that they have taken the Earl of Ancram's buſineſs into conſideration.[2] Anſwer from H. C.

L. (Same day.) *Ordered*, That the Earl of Ancram's protection is prolonged for ſix months longer, from the 2d of June next.[3] E. of Ancram's protection.

L. 23 CAR. I.—*Ordered*, etc., That the Earl of Ancram ſhall have the protection of this Houſe, for his perſon and goods for ſix months longer, from the ſecond of June next after the date of this Order; and all perſons whom it may concern are to take notice hereof, and yield their obedience accordingly.[4] E. of Ancram's protection prolonged.

L. 23 CAR. I. 1647, December 1.—*Ordered*, That the protection to the Earl of Ancram ſhall be renewed for ſix months longer from the 2d of this inſtant December.[5] E. of Ancram's protection renewed.

L. 24 CAR. I. 1648, May 15.—*Ordered*, That the protection formerly granted to the Earl of Ancram is hereby renewed from the expiration of the date of the laſt Order, which will be the ſecond day of June next.[6] E. of Ancram's protection renewed.

L. 24 CAR. I. 1648, November 21.—*Ordered*, That the protection granted formerly to the Earl of Ancram is hereby continued to him for ſix months longer, from the 2d of Decemb. next; and that it is recommended to the Committee of the Revenue to ſupply his wants.[7] E. of Ancram's protection to be continued, and his wants to be ſupplied.

L. Anno 1648[-9] February 5.—*Ordered*, That the Earl of Northumberland be added to the Committee of nine Lords, that are appointed to join with a Committee of the Houſe of Commons, to conſider of the ſettlement Committee for ſettling the Government.

[1] Houſe of Commons, vol. v. p. 187.
[2] Houſe of Lords, vol. ix. p. 210.
[3] Ibid. vol. ix. p. 216.
[4] Ibid. vol. ix. p. 221.
[5] Houſe of Lords, vol. ix. p. 258.
[6] Ibid. vol. x. p. 550.
[7] Ibid. vol. x. p. 598.

of the Government of England and Ireland; and the meeting deſired to be to-morrow morning, at nine of the clock.[1]

The Houſe, on the 6th, adjourned till the 10th of that month; but no ſubſequent meeting ſeems to have taken place.

1648-9, February 6.—*Reſolved*, etc. That the Houſe of Peers in Parliament is uſeleſs and dangerous, and ought to be aboliſhed: And that an Act be brought in to that purpoſe.[2] C.

1648-9, February, 7.—*Reſolved*, etc. That it hath been found by experience, and this Houſe doth declare, That the office of a King in this nation, and to have the power thereof in any ſingle perſon, is unneceſſary, burdenſome, and dangerous to the liberty, ſafety, and publick intereſt of the people of this nation, and therefore ought to be aboliſhed: And that an Act be brought in to that purpoſe. C.

Ordered, That it be referred to the ſame Committee that is to bring in an Act for aboliſhing the Houſe of Lords, to bring in this Act: And the Lord Grey and Mr. Challener are added to that Committee: And the eſpecial care hereof is commended to Mr. Lyſle.[3]

1648-9, March 17.—An Act for the aboliſhing the kingly office in England, Ireland, and the Dominions thereunto belonging, was this day read the third time:

Ordered, That the Sheriff of London and Middleſex do forthwith cauſe the Act for aboliſhing the kingly office in England, Ireland, and the Dominions thereunto belonging, to be proclaimed in the Palace Yard, Weſtminſter, Cheapſide, and the Old Exchange.[4]

Anno 1653, September 19th.—Colonel Rous reports from the Committee for petitions, The humble Petition of Lady Anne, Counteſs of Ancram: Which was now read, together with the opinion of this Committee; That in conſideration of the penſion allowed by the late Parliament, which a ſtop hath been made of, as to the payment of the penſions, ſomething may be allowed her, for her preſent ſubſiſtence, until the Parliament can be in better condition to take her Petition into further conſideration. C.

[1] Houſe of Lords, vol. x. p. 650.
[2] Houſe of Commons, vol. vi. p. 132.
[3] Houſe of Commons, vol. vi. p. 133.
[4] Ibid. p. 166.

Reſolved that a penſion of Five Pounds by the week be charged on Goldſmiths' Hall, and Haberdaſhers' Hall, and either of them, to be paid to the Lady Anne, Counteſs of Ancram, until the Houſe take further Order: And that the Commiſſioners for compounding be authoriſed and required to iſſue their warrants to the treaſurers of thoſe receipts, and either of them, to make payment of the ſaid penſion weekly, from time to time, unto the ſaid Lady Anne, Counteſs of Ancram, or her aſſigns: And that the acquittance and acquittances of the ſaid Lady Anne, Counteſs of Ancram, or her aſſigns, ſhall be ſufficient diſcharge to the ſaid treaſurers, and either of them, for the ſame.[1]

II. Exchequer Receipts of the Earl of Ancram for his Penſion, etc., 1647-1654.

It is but too well known that ſeveral years ago the large accumulation of old Exchequer papers in London was fooliſhly ordered to be mutilated before being deſtroyed or ſold as waſte-paper. The expenſes of ſuch mutilation exceeded the ſum the papers realiſed. But in this diſperſion many important hiſtorical documents were diſcovered, more or leſs mutilated, and Engliſh autograph-collectors were eager to ſecure ſuch papers; and on different occaſions I obtained ſome lots at later ſales, which included various receipts and papers connected with the penſions granted to the Earl and Counteſs of Ancram.

A note of theſe Exchequer receipts and papers may be added, each of the former being ſigned Ancram. Theſe, and others in ſimilar terms, which I have ſeen, indicate very diſtinctly the difficulty experienced by Lord Ancram in getting money even as partial payments of his penſion.

(The following receipts are now among the Lothian Papers at Newbattle:—)

1647, July 20.—Received by mee, Robert, Earle of Ancram, of Thomas Ffauconberge, Eſq., Receyvor-Generall of the Revenue, the ſum of Ten pounds upon my weekely allowance of x li., etc.—I ſay received,

Ancram.

[1] Houſe of Commons, vol. vii. p. 320

1647, July	29.—Received, etc. . . .	£30	0	0	
October	4.—Received, etc. . . .	50	0	0	
October	5.—Received, etc. . . .	10	0	0	
October	28.—Received, etc., in part of that V° lib. beſtowed on mee by the Houſe of Commons, by Warrant from the Committee of the ſaid Revennue	20	0	0	
November	19.—Received, etc. . . .	50	0	0	
December	1.—Received, etc. . . .	80	0	0	
1647-8, Feb.	5.—Received, etc. . . .	50	0	0	
1648, November	18.—Received, etc. . . .	25	0	0	

(The following papers are in my own poſſeſſion :—)

[July 1654.]

(1.) The True Case of the Countesse of Ancram, etc.,[1] is partly expreſſed in the Printed paper annext,[2] but ſince that was drawne, her condition is as followeth :—

1ſt. The Parliament did in September laſt, on her petition, appoint £5 weekely out of Goldſmiths' Hall for her preſent ſupport, which, through the good hand of God, hath prevented the periſhing of her ſelfe and 4 children at home with her untill the 20th June laſt, when the order of Exchequer putting a ſtopp thereon, hath reduc't them to inexpreſſible ſtreights, & if not renewed, endangers their very ſtarveing.

2dly. About 3 months ſince, a petition was preſented his Highneſſe, and moſt kind reference was made thereof to the Councell, who referring it to a Comittee, their Report lyes drawne up in Mr. Jeſſop's hands for the Lord Strickland to make ſoe ſoone as other weightier affaires will permitt, and when that may bee call'd for, the ſubſtance of theſe things will be found therein, (viz.)

1ſt. That in conſideration of a jointure, the £2000 per annum was ſetled on this Lady, and for almoſt forty yeares ſeruice by the Earle, confirmed on him after her life.

2dly. That laſt September there was areare thereof about £21,000, and that theire two liues being valued but as one (both being antient), at five yeares conſideration, did make the debt computed to be £31,000; as well aſſur'd as the laws of England could eſtabliſh at that time of its firſt granting.

3dly. Its there humbly propoſ'd, in regard of the greatnes of theſe debts and extents on the Ladye's jointure (by a former huſband) being then conceived about

[1] Indorſed: *The Caſe of the moſt afflicted Counteſſe of Ancram and* her family.—R. 14 July 1654. Ordrd. 21 Aug.

[2] The printed paper here mentioned has not been recovered.

£4000 (and now more narrowly lookt into, found to be £5520), and yet £1000 ready money might releave her eſtate for the preſent, That out of Doubled monyes or Deanes and Chapter's lands, Goldſmiths Hall, or any other certaine Treaſury, that the ſaid £1000, or at leaſt £800 thereof, might be paid immediately, and the remaining £30,000 allow'd out of the firſt diſcoveryes, or paid as other publique faith; if Scotch, Iriſh, or Forreſt Lands ſhall not be thought convenient.

4*thly*. But if beggars may be admitted to be chooſers, or officers beſides that, report may bee tendred, that though ſoe great a ſume as £30,000 be mencioned, yet it's not imagined above £10,000 thereof will ever bee made good, if allow'd. And therefore, £10,000 any where certaine to be had, wil be as much as that propoſ'd, ſoe it may be affixt either at the Prize-office, Additionall Excize, or the Remainder of Deane and Chapter Lands after all charg'd thereon be ſatisfyed, ſtill provided theſe firſt £1000 being paid in hand, they may be in a capacity to ſubſiſt and to proſecute the effecting of ſuch Donations.

5*ly*. The reaſon of ſuch large propoſitions (ſetting aſide theire legall right that might be pleaded), is the ſaid debt of £5500, without payment of which the Earle lives in a moſt neceſſitous baniſhment, and there being ſix children, viz. two Sonnes, four Daughters, without any proviſion at all, either from theire parents or any other, a leſſe proportion cannot prevent theire miſeryes.

Obj. 1*ſt*. It's true the Lady Vere is marryed, but her huſband's eſtate moſt engag'd for her Father's and Mother's supply farr beyond their abilities.

Obj. 2*d*. The Lord Carre lives high and ſeems not to want, but it's on the incom's of that which ſhould ſupply the reſt; and beſides, there is a ſtory concerning him, as long as all this, which at a fitting time may bee imparted, if the Almighty God ſhall incline thoſe in authority to pittie his Soule & this Familye's wants. But in the interim without this £5 a weeke, the £1000 for preſent and the remainder's ſettlement, they are the moſt miſerable objects for compaſſion in England.

The moſt mercifull God ſtirre their gratious Protectors and deliverers, ſayth theire ſollicitous friend and Servant.

[No date.]

(2.) Some Proposealls humbly tendred on the behalfe of the Earle of Ancram and his Countesse.

That in regard of their extreame neceſſitys through want of that debt of £21,286 : 13 : 4 (the State hath had the uſe of), they lying under great executions for debt, as in their Petition referr'd by his Highnes to the honorable Councell may more at large appere;

It's humbly offered—

1*ſt*. That to remove the extents on their only eſtate which is but a part of a jointure (left the Lady by a former huſband), and at her death goes to another family,

their extremity craves that an order may be granted of the money that comes in on Deane and Chapter's Lands, Goldfmith's-Hall and Drury-Houſe, or ſuch other provided treaſury as ſhall be thought meete, for payment of £1000 or £800 to truſtees for them, whereby the extents aforeſaid may in ſome meaſure be ſoe removed as that a little help from that eſtate before mentioned might be had ſoe long as God ſhall ſpare the life of the ſaid Counteſſe.

2ly. That inſupportable mifery attending them, unleſſe ſpeedily releived againſt future impending dangers, it is further humbly deſired, that in lieu of the remainder of their arreares (of £21,286 : 13 : 4 with the valuation of £2000 paſſed for two lives, ſo juſt a publique debt), may be allowed & ſetled in truſt for them, ſome reaſonable conſideracion out of the Foreſt Lands, Diſcoverys, or ſuch other effectuall way, as ſhall be thought taxable of being ſome proviſion for two ſons & 4 daughters of their condition, yet wholy unprovided for.

[No date. 1654.]

(3.) To his Highnes the Lord Protector of England, Scotland, and Ireland—
The humble petition of Anne, Countesse of Ancram,

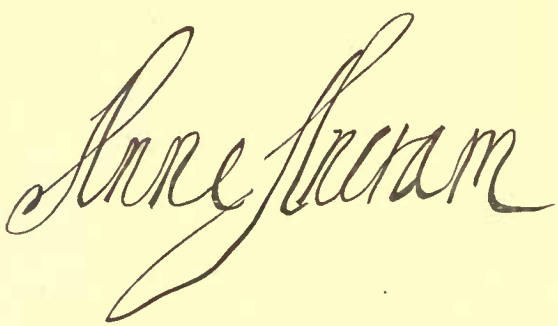
Sheweth,

That on your Highneſs' ſpeciall recomendation, the laſt Parliament granted your Petitioner a pencon of £5 a weeke out of the greate debt now depending before your Highneſs and your moſt honourable Councell in ſatisfaction. That by the Treaſurers of Goldſmiths' Hall it hath beene well paid untill this late order from ſetling, the Exchequer is conceived by the ſaid Treaſurers to put a ſtop thereunto, untill your Highneſs' further pleaſure be ſignified unto the Exchequer.

Your Petitioner and family (being in ſoe diſtreſſed condicion as not to have any other ſupport beſides), humbly prays for the preſent, that the report of your Petitioner's whole buſines which lyes in the Lord Strickland's hands may be call'd for, and receive ſuch a gratious diſpatch as to your Highnes' goodneſs and juſtice ſhall ſeeme meete, theire miſerable and diſtreſſed condicon being taken into conſideracion.

And your Petitioner ſhall pray, etc.

Indorſed: *The Petition of Anne, Counteſſe of Ancram.*





WILLIAM THIRD EARL OF LOTHIAN

From the original by Jamieson at Newbattle Abbey.





MEMOIR

OF

William, Earl of Lothian.

IN the preceding Memoir it will be feen that the eldeſt ſon of Sir Robert Kerr of Ancram, by his firſt wife, Elizabeth, daughter of Sir John Murray of Blackbarony, was William Kerr, who was born about the year 1605. No record has been diſcovered of the preciſe date, nor any information reſpecting his early years. From the letter addreſſed to him by his father, dated St. James', March 29, 1621, we learn he was then proſecuting his ſtudies at one of the colleges at Cambridge. He was at that time, we may ſuppoſe, about fifteen years of age, and had for his tutor a Mr. Curwen. His name, however, is not found in the records of the Univerſity, having, probably, been ſent abroad, or at leaſt not having remained a ſufficient time to qualify him for taking the degree of M.A.[1]

The next notice of William Kerr occurs in another letter from his father, dated April 24, 1624, and addreſſed to him in Paris, ſending him tranſcripts of his metrical tranſlation of ſome of the Pſalms, which are printed for the firſt time in the Appendix at page 487.

Among the manuſcripts at Newbattle there is a thin folio volume in the handwriting of William Kerr, containing a Journal of his travels through France to different parts of Italy and Switzerland,

[1] For making this ſearch I was indebted to the obliging kindneſs of Profeſſor the Rev. John E. B. Mayor, M.A., of St. John's College.

with this title, *Itinerario fatto anno* 1625, *ch'era quello dal Jubeleo Urbano Octavo Papa, Barberini.* It is therefore moſt likely that his father, having ſent him to Paris to complete his education, permitted him before returning to his native country, to enjoy an opportunity of viſiting the different parts of the continent noticed in this Journal. Accompanied no doubt by a tutor or ſome companions (although no names are given), he ſet out from Paris November 6, 1624, and, paſſing through various towns, including Lyon, Chambery, and Modane, he came to St. André, "where we were hurl'd in ſledges down the hill to Lannoburg (Lanſle-bourg), at the foote of Mont Cenis," and proceeded onwards to Turin, which is deſcribed, and from thence to Milan, Modena, Bologna, and Florence. An extract from his deſcription of the latter town may be given as a ſpecimen of this Journal :—

"Florence.—This toun is feated on a valley having the river Arno running thorow it, over which ther ar foure fair bridges of ſtone. This toun is encompaſſed with a band of hills as with a half moone onlie on the west ſyde towards Piſa and the ſea. The valley is verie pleaſant and fertile, ſo that for ſome foure or fyve leagues euerie way round about the toun, the houſes of pleaſure and villages make as it were one continued toun. On the hill ſyde the Duke hath a fyne houſe called Pratalino. It is worthely called "la bella," being the fyneſt and beſt built toun in Italy; the ſtreets are very fair and have many gentlemen's houſes, the which makes the towns of Italy to furpaſs all the world, becauſe the gentlemen live altogether in the cittyes. Ther ar many fair market places, as that by the old palace, where there is a curious fountaine, with many ſtatues in braſs and ſtone, eſpecialie that of Coſmo de Medici, and in another, by the church of Annunciate, the ſtatue of Ferdinand, the laſt Great Duke. In the great piazza ſtands the church of St. Michael; without the church are the ſtatues of our Saviour and his 12 Apoſtles in braſſe. The old Palace is a verie fair one, but yet the Duke doth not live in it, but hath a Gallery which comes from his owne to it, which is a quarter of a myle and croſſes the river. In this palace there is a gallery of 150 paces long, full of ſtatues to the number of 170 litle and great, all old Romane ſtatues, as that of Scipio Africane at length in braſſe; of M. Aurelius, Trajan, Adrian, Tully, in ſtone. Ther are the pictures of all the Dukes and Dutcheſſes, and on one ſyde of the Gallery the pictures of all the famous men of armes, Chriſtians, Moors, and Turks; and on the other ſyde all men famous in learning of the aforefayd nations. Within that gallery there is a very curious cabinet, ſo full of curioſities and antiquities that I cannot remember half of them. There is a head of a turqueſs

bigger than both my fiſts, many cups of amber, chriſtall of the rock agat, mother of pearle. There is a verie rich cabinet, fet the outfyd with diamonds, ſaphires, rubies, emeralds, and all other precious ſtones. They ſay it is richer within, but I did not ſee it," etc.

After paſſing through Sienna, he reached Rome on the 22d of December, being Sunday, in time for the opening of the Jubilee—which took place on Tueſday the 24th. He deſcribes the ceremonies on that occaſion, and the various reliques exhibited in St. Peter's, "the fineſt and greateſt church in Italy." Among the fair pillars within the church "there are eight at the great altar, curiouſly carved, which were brought from Solomon's temple." Adjoining is "the Pope's palace (called Belvedere, because of its pleaſant proſpect on the river and the gardens), having four courts. In the firſt court there is a chappell, called Sixtus his, which ſerves for the Conclave, where is the Day of Judgement paynted, counted the beſt peace in the world, by Michaell Angelo." This is followed by a long deſcription of Rome, its churches and environs. Having proceeded ſouth by Terracina and Capua, he came to Naples; from whence he returned, viſiting the other chief towns of Italy, including Bologna and Venice; and having croſſed St. Gothard, he found his way through Switzerland back to Paris.

A ſad and tragical event occurred about this time which requires a brief notice—viz., the death of Robert, ſecond Earl of Lothian, "a perſon of great ſpirit endued with excellent parts."[1] Calderwood, in

[1] In the "*Memoirs of his own Life and Times*, by Sir James Turner" (Bannatyne Club, 1829, page 14), is prefixed an account of his manuſcripts, in which mention is made of "Ane Elegie on the Death of the Earle of Lothian. Deſigned by William Douglas of Tofts." In the "Argument" (which is there printed) Sir James ſtates he had obtained it from "Archibald Douglas of Lumſden, brother to this Tofts," in a very imperfect ſtate, and thus details the circumſtances of its production:—"It wants but a few years of halfe ane age ſince the Earle of Lothian's death made a great noyſe in the world, the ſtrange manner of it furniſhing matter of ſtrange diſcourſe to people of all ranks and qualities. He was a perſon of a great ſpirit, endued with excellent parts. He had ſeene the moſt renowned places of Europe. Naturally curious he was, which perhaps made him ſtudie aſtrologie. He made choyce of William Douglas of Tofts to be his friend, his confident, and his *alter ego*. This was a gentleman of a

his *Hiſtory of the Kirk of Scotland*, alludes to it in the following manner :—" Upon Satterday, the 6th of March [1624], Sir Robert Ker, Earle of Lothian, went up earlie in the morning to a chamber in the Place of Newbottle, pretending he was gone to lay accounts and write miſſives, and commandit that none ſhould come toward him for an houre. He barreth the chamber doore, and cutted his owne throate with a knife, efter he had given himſelf ſundrie wounds with his dagger. Some imputed this deſperate courſe to the great debts which were lying on his hands; others, to conſulting with magicians and witches." [1]

Robert, Earl of Lothian had obtained a charter of the lordſhip of Newbattle, with a *novodamus* in favour of his heirs-male, February 3, 1620, but, not having any male iſſue, he ſucceeded in obtaining a re-grant by a new charter, dated March 29, 1621, which extended its proviſion to heirs-female. It begins—

" Jacobus, etc.—*Sciatis nos dediſſe et confirmaſſe noſtro conſanguineo et conſiliario Roberto Lothianae Comiti, Domino Ker de Newbottle et Morphet, et heredibus ſuis Maſculis de corpore ſuo legitime procreandis, Quibus deficientibus ejus heredi Feminae natu maximae de corpore ſuo procreatae ſeu procreandae, abſque diviſione*," etc.[2]

In virtue of this charter his eldeſt daughter, Lady Anne Kerr, ſucceeded as Counteſs of Lothian in her own right.

Among the " Lothian Papers " is preſerved a " Summonds of Speciall Declarator, Sir Robert Ker againſt the Tennents and Feuors of the lands of Newbattle," dated October 7, 1625, alſo a " Summons of Improbator, Sir Robert Ker againſt the Counteſs of Lothian,"

good ſpirit, generous, and learned *in omni ſcibili*, eſpecially in the mathematicks, wherein he had attained to ſo great a perfection that he had no equal in his own countrey, perhaps few in Chriſtendome. As intimate as he was with the Earle, it is clear enough, by his oune complaints, that he was not entruſted with the ſecret of his death. He either finiſhed, or intended to finiſh, the compoſition of an Elegie on this ſad ſubject."

[1] Wodrow Society edition, vol. vii. p. 595.

[2] Regiſtrum Magni Sigilli, lib. xlix. No. 225.

dated January 18, 1627, from which we learn that in conſequence of the untimely end of Robert, Earl of Lothian, "all and ſindrie guidis, geir, moveable and immoveable, takis of landis and teyndis," etc., had, as uſual, reverted to the Crown, and that the ſaid Sir Robert Ker "had be gyft of our umquhill dareſt father (King James) of worthie memorie" received "the eſcheit of all gudis, geir, taks of tyends, and utheris quhilkis pertenit to the ſaid umquhill Robert, Erle of Lowthian, the tym of his deceis, in maner mentionat in the gift maid to him." From this it appears that the Newbattle property was to a certain extent under the control of Sir Robert Kerr of Ancram, which may have conduced a few years later to the fortunate alliance by which the two families became united in the perſons of Sir William Kerr and Anne, Counteſs of Lothian.

Sir William Kerr had hitherto evinced no inclination either to follow the life of a courtier, or to enter upon a literary career. The example of many of his friends and countrymen, who, during the pacific government of James, engaged in foreign ſervice in the Netherlands, or under Guſtavus Adolphus, may have had no ſmall influence in his choice of a military profeſſion. It was aſſumed from the letter at p. 44 that he had accompanied George, Duke of Buckingham, in his ill-fated expedition to the Iſle of Rhé on the weſt coaſt of France. The Duke, as Admiral of the Fleet, and Commander-in-Chief of the land forces (for neither of which had he any qualifications), ſet ſail from Portſmouth, June 27, 1627, and appeared before La Rochelle, but eventually landed on the Iſle of Rhé,[1] towards the latter end of July. He ſoon ſent a preſſing meſſage for reinforcements, aſking "not only to haſten the ſending away of 6000 Engliſh, Iriſh, and Scottiſh already levied, but alſo to preſs for a further ſupply of 7000 more."[2] Accordingly, on the 17th of Auguſt 1627, the King addreſſed a letter to the Lords of Privy Council, authoriſing the Earl of Morton to levy a regiment of 2000 footmen, under his command, "to

[1] See note to p. 44.

[2] *Court and Times of Charles I.*, vol. i. p. 267.

be tranſported to France for our ſervice."[1] We learn from the authority already quoted that "the 200 [2000] Scottiſh, whereof the Earl of Morton hath the leading, were to embark on the 20th September, and to take their arms at Dover. On the 17th October, it is ſaid "The Earl of Morton is expected at Court this day, his Scottiſhmen being upon the Coaſt to receive their arms at Dover, whom the King doth haſten as much as he can after the Engliſh, that are ſetting out from Plymouth."[2] But it was too late to render the Duke any aſſiſtance; for the ſame writer, when narrating the diſaſtrous end of the expedition (November 14), adds—"For the Scottiſhmen which were come before Portſmouth, and their Colonel, my Lord Morton, who was commanded away two days ſince from hence, *they ſhall ſave their further journey.*"[3]

In the following year the Duke, when preparing to ſet out to retrieve his character, with a fleet of 150 veſſels and a large land force, was aſſaſſinated at Portſmouth by Felton, Auguſt 23, 1628. The Earl of Lindeſay, who ſucceeded the Duke as Admiral of the Fleet, was accompanied by the Earl of Morton as Vice-Admiral, and Sir William Kerr, with his company, formed a part of the forces under his command. Unable to effect a landing on account of contrary winds, the fleet could do nothing; and hard preſſed by the French army, Rochelle was at laſt compelled to yield, "after the lamentable death, by famine, of 7000 of her inhabitants."[4] In his letter, November 11, Sir William Kerr relates that after a ſtormy and diſaſtrous voyage they arrived on the 9th, and in a letter from Mr.

[1] On this head I may notice a poetical tract entitled "Encouragements for the Warres of France to excitate, etc., Noble men, Gentlemen, and courageous Scotteſs, etc." By William Douglaſs, North Britain. Edinburgh, printed by John Wreittoun, 1627, 4to, dedicated to William, Earle of Mortoun, etc. Of this tract only one copy is known, preſerved in the library of S. Chriſtie-Miller, Eſq., Britwell Houſe. On examining it recently, I conclude it was the production of William Douglas of Tofts, and not of his nameſake the Advocate, called "The Poet," author of *Grampius' Gratulation to King Charles, etc.*, Edinburgh, 1633, 4to.

[2] *Court and Times of Charles I.*, vol. i. p. 276. [3] Ibid. p. 284. [4] Ibid. p. 422.

Pory to the Rev. Joſeph Mead, November 14, 1628, it is ſaid—"My Lord of Lindſey and his Vice-Admiral, the Earl of Morton, are come on ſhore."[1] It is ſcarcely neceſſary to add that theſe expeditions, inſtead of aiding, proved moſt diſaſtrous to the French Proteſtants, who had occupied La Rochelle as their chief ſtronghold for nearly half-a-century.

Sir William Kerr was engaged in another expedition in aid of the States General againſt the Spaniſh forces, when Bois-le-Duc in North Brabant, a province of Holland, was beſieged by Henry, Prince of Orange, and was forced to capitulate on September 14, 1629, after a ſiege of five months. On the 19th of that month he writes, "Now I go up to Arnheim; what we doe ye ſhall know."

On Sir William Kerr's return to Scotland in 1630, ſome previous arrangements were completed for his marriage with Lady Anne Kerr, the youthful Counteſs of Lothian.[2] It took place, we preſume, not later than January 1631. It was, no doubt, through his father's influence he was advanced to the peerage by a new grant as Earl of Lothian, June 23, 1631. Some delays in ſettling the terms of the patent ſeem to have occurred; and the next brother of Robert, ſecond Earl of Lothian, Sir William Kerr of Blackhope, claimed the title as neareſt heir-male, notwithſtanding the charter re-granted, which ſettled the honours on the Earl's eldeſt daughter. According to an Act of Council relating to the Earldom of Lothian, dated Whythall, 28th October 1631, Sir William Kerr of Blackhope was interdicted from aſſuming the title by the Lords of Privy Council, March 8, 1632.

The young Counteſs, on ſucceeding to the eſtates of Newbattle,

[1] *Court and Times of Charles I.*, vol. i. p. 426.

[2] In the buſineſs letters of Mark Caſs of Cockpen to Sir Robert Kerr he writes as follows:—

1627, Aug. 29.—"Out of the affection I have to the ſtanding of the houſe of Newbottill in Lady Anne and your Sonne's perſoun (gif any ſic match be intendit)," etc.

1628, Nov. 29.—"Your Sonne's employments in the warres, a moſt ſufficient excuſe."

1629, Nov. .—"Now that he is returned recovered, the marriage to be completed."

found them heavily burdened with debt. Sir Robert Kerr, upon his ſon's marriage, with a generous ſpirit, as we have ſeen, redeemed "the Lordſchip of Newbotle out of their hands who had compryſed the ſame for the late Erle's debts, and by adding his own eſtate and other competent meanes, wherby of a perplexed and almoſt ruinated eſtate, by God's aſſiſtance he hath made it capable of the former dignitie; haveing alſo provydit a portion to the Lady Jeane, the late Erle's younger daughter."[1]

From this time, the Earl of Lothian, for ſome years, led a peaceful life at home; but a buſier time was at hand, and he was perhaps inſenſibly led to take a greater ſhare in public matters than he ever anticipated. The King, as previouſly noticed, had determined to force Epiſcopacy on the people of Scotland; and his reſolutions on this ſubject were ſtrengthened by the intemperate zeal of Archbiſhop Laud, and ſome of the Scottiſh prelates, in regard to doctrine as well as to forms of worſhip and of church government. The Earl of Lothian may at firſt have been influenced by his friends and relations the Earls of Rothes, Balmerino, and Argyll; but his own ſtrong conviction of the dangerous courſe which the King had ſo unwiſely adopted led him to take a decided part in the ſubſequent proceedings of the Covenanters.

The firſt public manifeſtation againſt innovations in the forms of public worſhip by the uſe of the Service Book, prepared by Archbiſhop Laud, was the tumult in St. Giles's church on Sunday, July 23, 1637. The enactment of the five Articles of Perth had been in oppoſition to the general feeling of the miniſters and their people; while the book of Canons would have been reſiſted by the great majority of the Preſbyterian clergy, if they had retained their power, in free General Aſſemblies. The civil offices and powers conferred on the Scottiſh Prelates were viewed with jealouſy, while the propoſed transfer of abbacies and their revenues to the Biſhops with a kind of ſupreme control, was naturally oppoſed by the nobility and other landed proprietors,

[1] This Act of Council, October 28, 1631, is printed at p. 488.

who, as titulars of teinds, had ſecured for themſelves grants of Church lands from the Crown after the Reformation. All theſe circumſtances, combined with the powers aſſumed by the Scottiſh Prelates, gave importance to this accidental uproar.

The King, in his inſtructions to the Privy Council, directed them to inveſtigate the cauſe, and to puniſh the inſtigators of this "uproar." They declared, it proceeded from a number of rude and baſe people, chiefly women, in the perſuaſion that when the reading of the new forms of prayer began, it was little elſe than bringing back the ceremonies and ritual of Popery.[1] The effects which this produced could not have been foreſeen, as the uſe of this Service Book was the means of creating a ferment throughout the land, when the ſmouldering embers broke out into a flame, not to be extinguiſhed during the King's reign. Some of the leading Covenanters were at firſt reluctant to join in any courſe tending to a forcible reſiſtance of the Sovereign. Sir Robert Kerr, now Earl of Ancram, from his poſition at Court, could not but be apprehenſive at ſuch proceedings; and Lord Lothian, October 3, 1637 (referring to a letter not preſerved), ſays, "the end of this letter bids me carie myſelf warily in theſe broyles, which I ſhall doe by all the little judgment I have; but they increaſe wonderfully, as yow have heard long ere now of the paſſages of the Counſell day." But ſtill, until this period, there is no evidence of his having ſhown any diſpoſition to act in oppoſition to the King; his whole conduct would rather warrant a different concluſion.

The Supplications againſt the Service Book, which came pouring

[1] In Row's *Hiſtory of the Kirk* it is ſaid, "When the nixt Sabbath, Julie 23, came, the Biſhop of Edinburgh (after that the ordinare prayers had been read in the morning), about ten o'clock brought in the Service Book to the pulpit, and his Dean ſatt in the reader's ſeat with his Service Book before him in the Great Kirk of Edinburgh ... Now, ſo ſoon as the Biſhop did open his Service Booke, and began to read thereon, and the people perceaving the Dean opening his book alſo; all the commone people, eſpeciallie the women, roſe up with ſuch a lowd clamour and uproare, so that nothing could be heard; ſome cryed, 'Woe, woe!' ſome cryed, 'Sorrow, ſorrow!'"—(*Hiſtory of the Kirk of Scotland*, Wodrow Society edition, 1842, p. 408.)

in to the Privy Council, and the King's unfatisfactory anfwers, made it evident the time had at laft arrived when the adherents of the Church of Scotland required to change their teftimony from a *paffive* to an *active* ftate.

As the Privy Council had agreed to hold a meeting, October 18, to announce the King's reply to the Supplicants, the ftreets of Edinburgh on that day were crowded by perfons of all ranks, from every part of the country. The refult was a fecond tumult, when the Treafurer (Lord Traquair), the Provoft of Edinburgh (Sir John Hay), and the Bifhop of Galloway (Sydferf), who had rendered themfelves very obnoxious to the people, were threatened to be ftoned or torn in pieces by the mob; and a meffage was fent to a meeting of the nobility, requefting fome of their number, beft known, to come for their protection, and efcort them to a place of fafety. In this way Lord Lothian, in his letter, October 27, fays, "My Lord Rothes put himfelf on one fide of the Bifhop, and I on the other," and fucceeded in conveying him fafely down the ftreet. No wonder that the reports of fuch tumults had alarmed the Earl of Ancram, as giving warning, like the reverberating echoes of diftant thunder, of a coming tempeft. In the letter referred to, the Earl of Lothian makes no allufion to the fact that he himfelf was one of twenty of the nobility who had previoufly figned the Supplication to the Council on the 20th of September.

The Supplicants refolved to hold an adjourned meeting in Edinburgh, for the purpofe of renewing their petitions, November 15, and on this occafion a ftill greater convocation took place. The Privy Council became alarmed, and wrote to the nobles, endeavouring to perfuade them that their frequent meetings, and in fuch numbers, were alike informal and illegal. The petitioners had no difficulty in anfwering this accufation, at the fame time fignifying that, as the redrefs of their grievances would take up fome time, they were willing to choofe Commiffioners from the whole body to attend his Majefty's anfwer to their fupplications. The Privy Council, being afraid of

freſh tumults, or greater evils, that might ariſe from ſuch great concourſe of people, were content with this propoſal. In order therefore to ſecure united action, and to counteract the Council's proceedings, a certain number of Commiſſioners were appointed from the four claſſes, the Nobility, Gentry, Burgeſſes, and Miniſters, who ſhould repreſent the whole Supplicants, and ſit in four ſeparate apartments in the Parliament Houſe, each rank conſulting by themſelves; hence, ſays Row,[1] they were called THE TABLES; while "the enemies of the good cauſe, the cauſe of God, called all their meetings and ſupplications Treaſon and Rebellion." The Commiſſioners accordingly ſat at their reſpective tables, and arranged all the proceedings, and iſſued the neceſſary inſtructions, which were obſerved with great alacrity.

The moſt important reſolution of The Tables was, the expediency of adopting the former religious Covenant or mutual Bond for the maintenance of the true Religion, the protection of the King's perſon, and their own defence, as contained in the National Confeſſion of 1580, in which the errors of Popery were abjured, with ſuch alterations or additions as were applicable in their preſent emergency. The ſigning of this National Covenant was inaugurated with great ſolemnity at the Greyfriars Church, February 28, 1638. Copies written on large ſheets of parchment were prepared and forwarded to all the principal towns and pariſhes throughout the country to obtain ſignatures, theſe copies being ſigned at the top by the leading Covenanters at the different Tables, as an example to others. Among the names of the nobility, which uſually occur on the firſt line, are, ROTHES, LOUDOUN, CASSILIS, LOTHIAN, DALHOUSIE, HOME, ELCHO, MONTROSE, etc. A conſiderable number of copies written by Notaries, in various ſtyles, with ſignatures, are ſtill preſerved.[2]

[1] *Hiſtorie of the Kirk, etc.*, edit. 1842, p. 486.

[2] Facſimiles of ſome of the copies have been publiſhed; one of theſe forms No. xcvii. in Vol. III. of the *National Manuſcripts of Scotland*, 1871, large folio. In the *Proceedings of the Society of Antiquaries of Scotland* (vol. iv. pp. 232-50) I gave a detailed account of moſt of the copies that were known. It was read May 1847, but not printed till 1862.

The King in vain endeavoured, by proclamations, threats, and other means, to temporiſe with the Supplicants or Covenanters (a name firſt given them by their opponents); his Majeſty being as reſolute as ever to enforce the adoption of the Liturgy, and to preſerve the powers conferred on the Biſhops for the continuance of Epiſcopacy in Scotland. But his proclamations were always met with counter-proteſtations, and his threats were diſregarded. At length he found himſelf conſtrained to addreſs a letter to the Lords of Privy Council, revoikng his former injunctions, which James, Marqueſs of Hamilton, his Majeſty's Commiſſioner, produced at a meeting held at Holyroodhouſe, September 22, 1638. It begins,

CHARLES R.—Seing the caus and occaſioun of all the diſtractions whiche have happened of late both in Church and Commoun wealth of this kingdome have proceedit frome the conceaved feares of innovation of Religion and Lawes, to free all our good ſubjects of the leaſt ſuſpicion of anie intention in us to innovat anie thing either in religioun or lawes, and to ſatisfie not onelie thair deſires, but even thair doubts: We have diſcharged, and by theſe preſents doe diſcharge, the Service Booke, Booke of Canons, and High Commiſſion, and the practice of thame or anie of thame, and by theſe preſents annulls and reſcinds all Acts of Counſell, Proclamations, and other Acts and deeds quhatſomever that have beene made or publiſhed for eſtabliſhing thame or anie of thame: And declares the ſame to be null and to have no force nor effect in tyme coming. And being informed that the urging of the practiſe of the five Articles of Pearth Aſſemblie hes bred great diſtraction and diviſion with Church and Eſtate, We have been graciouſlie pleaſed to take into our conſideration, and for the quyet and peace of Churche and State doe not onelie diſpenſe with the practiſe of the ſaids Articles, but alſo diſcharges, lyke as by theſe we doe diſcharge, all and whatſomever perſons from urging the practiſe thairof upon other laick or eccleſiaſticall perſon whatſomever."

In terms of this letter and the Acts of Privy Council that followed it, a free General Aſſembly of the Church was indicted to meet at Glaſgow, November 21 following, and a Parliament was alſo ſummoned to be held at Edinburgh, May 15, 1639.

The Aſſembly accordingly met at Glaſgow on the 21ſt of November 1638. The Earl of Lothian was a member, having been choſen as ruling elder for the Preſbytery of Dalkeith. It was in

vain that the Marquefs of Hamilton, who prefided as High Commiſſioner, on finding he could not control their proceedings, attempted, in the King's name, on the 29th to diſſolve the Aſſembly, as the members continued their meetings in defiance of the King's authority, which denounced them as liable to the penalties of treaſon. During twenty-ſeven ſucceſſive ſeſſions or meetings, the Aſſembly not only re-eſtabliſhed the Preſbyterian forms of worſhip and Church government, and declared by a ſpecial act, that Prelacy having been abjured by the Confeſſion of Faith, it be removed out of this Kirk; but with a bold and reſolute ſpirit they proceeded to ſummon Archbiſhop Spottiſwood and the other Prelates to appear, in the proceſs that was raiſed againſt them, upon a variety of grievous charges. A ſentence of depoſition and excommunication was ſolemnly pronounced againſt each of the "*pretended*" biſhops and their chief adherents.

Theſe proceedings could not but be highly reſented by the King, and in the following year he determined by forcible means to compel the obedience of his refractory ſubjects. Although his army for that purpoſe amounted to about 16,000 men, the Covenanters were not taken by ſurpriſe, and the troops which they aſſembled under the charge of experienced military commanders, on Dunſe Law, in June 1639, were more than ſufficient to render any hoſtile meaſures of the Royaliſts quite hopeleſs. A Pacification was accordingly prepared and ſigned in the Camp near Berwick; and other meetings of the General Aſſembly and of Parliament were appointed to be held at Edinburgh in the month of Auguſt following, to which all matters in diſpute were referred. The termination of ſuch a conteſt without bloodſhed was moſt remarkable. Well would it have been, both for himſelf and for the proſperity of his Kingdoms, had Charles adhered to his profeſſed agreement, and relinquiſhed all further interference with Church affairs in England as well as in Scotland. But his evil deſtiny prevailed, with reſults that never can be forgotten.

In the "Annales of Scotland," by Sir James Balfour, Lord Lyon, there are ſome incidental notices relating to the Earl of Lothian about this time, either not mentioned, or but ſlightly, in his correſpondence, which may be quoted:—

"1639, March 21.—The Caſtell of Edinburgh was taken by the Lords Covenanters. . . On Saturday the 22, ſome of the cheiffe Covenanters, viz. the Earles of Rothes, Home, Louthean, with the Lordes Yeſter, St. Claire, and Balmerinoche, went to Dalkeithe, and with them a 1000 commandit muſqueteires. They no ſouner preſented themſelves befor the houſe, bot the Lord Theſaurer Traquair, keiper therof, furthwith delivered it to them. They ſearched all the roumes therof for armes, etc. . . On Monday the 24 of this ſame month, lykwayes from Dalkeithe they brought the royall enſeinges of the Kingdome, Croune, Suord, and Scepter, and that with great ſolemnity and pompe, and put them wp in Edinbrugh Caſtle.

"1639.—About the 24 of Junij the King commandit the Lyone to poſt to Edinbrughe, and ther to publiſhe his Declaration; which he did the 26 day of the ſame month, with very great ſolemnity, aſſiſted by the Magiſtrates of the City. The Lyone had no ſooner aſcended the Croſs but he found ſtanding there the Earls of Rothes, Caſſilis, and Lothian, with the Lords Lindeſay, Boyd, and Balmerinoch. The publication finiſhed, and the Lyon about to depart, the Lord Lindeſay ſaid that he was come there in name of the Nobility, Gentry, and Commons, to give his Majeſty moſt humble and hearty thanks for his gracious Declaration, and withal did deſire the Lyon to take notice and advertiſe his Majeſty, that he, in name of the reſt, did adhere to the Aſſembly of Glaſgow, in ſo far as was communed betwix his Majeſty and the Commiſſioners in his Majeſtie's camp at the Berwick-on-Tweed; and then offered him a paper, which he refuſed, and ſo departed."

"The King almoſt until the middle of July reſided in Berwick, and diſbanded his army. . . . While the Court remained at Berwick there was a Court-trap laid to catch ſome of the prime Covenanters. The King is made, by the corrupt Councillors about him, to write letters, full of alluring and kind expreſſions, to Argyle, Caſſilis, Lothian, Balmerinoch, and eight more, to repare to his Majeſtie's Court, at Berwick, in reſpect he had divers buſineſs of great conſequence, concerning the peace of his kingdoms, to adviſe with them; but they, ſmelling the rat afar off, were ſecretly advertiſed by their friends to look to themſelves, and to come no nearer Berwick at this time, as they would evitate and eſchew an unfallible and moſt certain deſtruction. The Lords, by their letters, did excuſe their not attending his Majeſty at that time for divers reſpects."

The repoſe that followed the Pacification at Berwick proved to be merely temporary; and before the time for holding the General Aſſembly had come round, there appeared, in the King's name, "A

Large Declaration concerning the Late Tumults in Scotland"[1] which could not fail to occaſion much excitement among the Covenanters. The volume was publiſhed in 1639; the oſtenſible author was Walter Balcanquall, D.D., Dean of Durham, aſſiſted, it was ſaid, by Archbiſhop Spottiſwood and Maxwell, Biſhop of Roſs. According to Baillie's letter, September 28, 1639, "That unexampled Manifeſto, which, at Canterburie's direction, Balquanquall, and Roſſe, and St. Andrewes, had penned, was now printed in the King's name, and ſent abroad, not only through all England, bot over ſea, as we heard, in diverſe languages, heaping up a rabble of the falſeſt calumnies that ever was put into any one diſcourſe that I had read, to ſhow that we were the moſt deſperat traitors that yet had lived, and meere hypocrites, who, in matters of religion, had never been wronged, bot

[1] The full title of this work is, *A Large Declaration concerning the late Tumults in Scotland, from their firſt originalls: together with a particular deduction of the ſeditious Practices of the prime Leaders of the Covenanters: collected out of their own foule Acts and Writings: By which it doth plainly appeare, that Religion was onely pretended by thoſe Leaders, but nothing leſſe intended by them.* By THE KING; London, printed by Robert Young, his Majeſtie's printer for Scotland, Anno Dom. 1639, folio, pp. 430.

Sir John Lauder, better known as Lord Fountainhall, in one of his MSS. has "A judgement, cenſure, and opinion of ſundrie books, containing alſo a collection of ſome remarkable paſſages thereof, Anno 1679." It contains the following notice:—

"Mr. Walter Balcanquall, Dean of Durham, was thought to be the author of *The Large Declaration*, publiſhed by his Majeſty in 1640; and THE EARL OF LOTHIAN was ſuppoſed to have penned the *True Repreſentation of the Proceedings of the Kingdom of Scotland ſince the late Pacification, againſt miſtakings in that Large Declaration, being an anſwer thereto* (MS. Adv. Lib., preſs 6, 2, 14). Lord Fountainhall was at leaſt miſtaken in ſuppoſing that 'the True Reprefentation' could be called an anſwer to the 'Large Declaration.'" It was occaſioned by *His Majeſtie's Declaration concerning his Proceedings with his ſubjects of Scotland ſince the Pacification in the Camp neere Berwick.* London, printed by R. Young, his Majeſtie's printer for Scotland, and R. Badger, printer to the Prince his Highneſs, 1640, 4to, pp. 63. The full title of the tract which he ſays had been aſcribed to the Earl of Lothian is, *A True Repreſentation of the Proceedings of the Kingdome of Scotland, ſince the late Pacification; by the Eſtates of the Kingdome: againſt miſtakings in the late Declaration*, 1640. Printed in the year of God 1640, 4to, pp. 72; with a ſeparate portion, pp. 102, as, *The Proceedings of the Commiſſioners ſent from the Parliament of Scotland to the King.*

had onlie fought pretences of religion to collour our plotts for rebellion. It was good that this book was keeped carefullie from our hands till the Treatie of Peace was near clofed."[1]

At the meeting of the General Aſſembly held at Edinburgh in Auguſt 1639, the Earl of Traquair was appointed Commiſſioner by the King, and the Earl of Lothian was preſent as one of the members. The Aſſembly's proceedings formed a neceſſary ſequel to thoſe of the preceding year. Among their acts it was declared anew, That Epiſcopacy was unlawful, and to be condemned, along with the Book of Canons, the Service Book, etc. The "Large Declaration" in the King's name, was referred to a Committee, who ſoon after ſubmitted to the Aſſemblie Obſervations upon the ſaid book; "the tennour whereof followes:—

"This Declaration of Doctor Balcanquel is, Firſt, diſhonourable to God; 2lie, to the King's Majeſtie; 3lie, to this Nationall Kirk; 4lie, it is ſtuffed full of lies and calumnies, which we make evident to the world by theſe Reaſons:"—which are given at full length.

According to the Treaty of Pacification of June 18, 1639, it had been ſtipulated that all matters *Eccleſiaſtical* ſhould be ſettled in a General Aſſembly, and matters *Civil* in the Parliament and inferior Judicatories eſtabliſhed by law. On finding that the Acts of Aſſembly and Parliament on theſe points were altogether in favour of the Covenanters, the King refuſed to confirm their proceedings, and reſolved again to have recourſe to hoſtile meaſures in order to compel them to reſtore the depoſed Prelates, and to bring about his long-cheriſhed deſire of Uniformity, by invading Scotland for a ſecond time. The Covenanters, however, were fully aware of this intention; and their paſt experience, both of the King and his adviſers, was ſufficient to rouſe their ſuſpicions, and induce them not to relax their vigilance. Accordingly, when the King, in 1640, had aſſembled a large force, the Covenanters, on their part, loſt no time in

[1] Principal Baillie's *Letters and Journals*, vol. i. p. 208.

completing their levies, under the command of General Sir Alexander Leſley and other experienced ſoldiers. On the 20th of Auguſt they croſſed the Tweed, at Coldſtream, where the river could be forded by troops. Their force is reckoned to have conſiſted of about 20,000 foot and 2500 horſe.[1] They came to Newburn, on the banks of the Tyne, about five miles to the weſt of Newcaſtle, where, on the 28th of that month, they encountered the Engliſh troops, and, after a ſhort engagement, compelled them to retreat. Next morning the Scots took poſſeſſion of Newcaſtle, and the Earl of Lothian, who commanded the troop of horſe from Teviotdale, was appointed Governor of the town.[2] The reſult of this was that the King had no recourſe but to nominate Commiſſioners to meet others from the Scots, at Ripon, on the 1ſt of October, to conclude upon a new treaty. On the 23d of that month the negotiations were transferred to London.

Writing from Newcaſtle, November 8, 1640, to his father in London, the Earl of Lothian ſays, "This is by the occaſion of our Commiſſioners, whoe are coming for the Treatie. God give it a good concluſion, and put into the heartes of the Parlament to take the faireſt and righteſt courſes for it. Whatever be ſayd of us, or be layed to our charge, God Almightie knowes we have noe thoughts of prejudice towards this kingdome where we are. If we had, we would

[1] Baillie's *Letters and Journals*, vol. i. pp. 255-257.

[2] The following brief notices regarding this tranſaction are taken from Balfour's *Annals*:—

"1640, Auguſt 21.—The Scotch army croſſed the river Tweed on Friday, and entered England in the evening. Next morning, when they were muſtered, 200 companies of foot, 4000 horſe, and 2500 baggagers. Sr. Alexander Leſlie of Balgonie was Genrall. Ther was in this armey of noblemen colonells, having old experimented fouldiers, to ther lieutenants and maiors, the Earles of Rothes, Montrois, Dumfermling, Kingorne, Loutheane, Dalhouſie."

"Auguſt 27.—The Army croſſed the river Tyne at the ford called Newburne."

"Auguſt 31.—After taking Newcaſtle the Earl of Lothian is appointed Governour of the town ſo long as we ſtay heire."

not have beene in this place; neceſſitie made us come from home, *and thither we will never returne but with aſſurance to injoy our Religion in puritie, and our Nationall liberties* without relation to the cuſtomes of this kingdome. We wiſh and pray they may gett a reformation like ours, and that they gett every other thing is juſtly dewe to them by there lawes; and if they be defective in any thing may conduce to the good of the Commonwealth, that nowe they be redreſſed. *But we come not to reforme Church nor State.* We have noe ſutch vaine thoughts." He adds, "We ſhall never refuſe the King civill and temporall obedience; if more be demanded we can not give it, and in our lawful defence WE DARE DIE!"

In other letters to the Earl of Ancram he refers in ſimilar terms to the part he was conſtrained to take, in the fatal diviſions which prevailed, influenced by a ſenſe of public duty. February 27, 1641, he ſays—"I am ſorry att the expreſſion of your ſufferings for me; that makes me wiſh, I had had noe hand in this buſineſs rather, and I HAD RATHER HAVE BEENE DEAD THAN NOT TO HAVE BEENE ANE ACTOR IN IT." Perſons actuated with ſuch a ſpirit could not fail to triumph over the duplicity which ſo unfortunately influenced the whole courſe of the King's proceedings.

Again, when thanking his father for a ſword which he had ſent him, he writes (March 22)—"The ſword your Lordſhip hath ſent (if I have any ſkill) is a very good one, and I value highly anything was my Grandfather's. I pray God give me the grace not to do anything unworthy of him or your Lordſhip. I ſhall alway make uſe of this ſword, and all I carie, for the honor of God, the good of my Country, and the King's ſervice when it is not contrarie to theſe; and would to God *the King would leade our Armie*, or make uſe of the hartes and handes of his good ſubjects, *in a juſt and a holy warre* for the advancement of Religion, and perfiting this greate begun worke: I ſhould think myſelf happie to die att his feete, or in the action."

All this time the Earl of Lothian was compelled to a conſtant reſidence in Newcaſtle till the beginning of Auguſt 1641. In

his letters to his father, he frequently complains that his health ſuffered much from his reſidence there. He was, however, unexpectedly ſummoned on the 7th of June to attend the Committee of Eſtates at Edinburgh. The Earl of Montroſe, who had hitherto been a zealous Covenanter, jealous of the influence of Argyll, and offended on account of the chief command of the forces being given to Sir Alexander Leſley, had, during the preceding winter, organiſed an oppoſition compoſed of ſeveral noblemen and gentlemen who united in ſigning a bond for this purpoſe. The Earl of Lothian, writing to his father from Newcaſtle, July 6, thus relates the proceedings in "the laſt buſineſs concerning the Earl Montroſe. In winter, indeade, when his Band was burnt, I did what I could to quiett matters and bring him off, and he thought I did him good offices. But now I took not ſoe mutch paines; for his often relapſes are not to be indured, and his practiſes will be ſound mutch to the prejudice of the publicke, and very malitious againſt particular men, whoe, to my knowledge, differve it not at his hands. He was therefore (without one voyce diſaſſenting, either of the Committee or Noblemen and Commiſſioners of Parliament, whoe were preſent in good number) committed to the Caſtle, and I beleave my judgment was the firſt was aſked in it; for ſutch was the Preſident's pleaſure, who was ſoe for that tyme. He got my vote to it alſo when in voting it came to my turne, and I was apoynted with the Lord Maitland to carie him to the Caſtle. This buſſineſs and the examining him and Napier and Kier, with Captain Stewarte and Mr. John Stewarte's examinations, kept me 20 days in Scotland. . . . For myſelf, in all theſe proceſſes and troubles I have noe particular but the good of the publicke; that ſafe, I am for all the ways of gentleneſs and moderation."

The pacification with England, as ratified by the Parliament of England, was not finally concluded till 26th Auguſt 1641, when both armies were diſbanded. In the previous month the Earl of Lothian had been relieved from his duties at Newcaſtle; and in the Parliament at Edinburgh, on the 28th, he was choſen as one of the

Lords to draw up the Articles. His Majeſty arrived at the Palace of Holyrood on the 14th of Auguſt 1641, at night; and on the following day, as Balfour narrates, "His Majeſty heard ſermon in the Abbey Churche, quher Mr. Alexander Henderſon preached to him before noone; and afternoone he went not to ſermon, bot being weirie, repoſed himſelfe in private." As the Earl of Lothian had anticipated in his letter of 23d May, his reception was far different from what he had experienced on his triumphal entry for his Coronation in 1633. The King ratified all the Acts paſſed in June 1640, in number thirty-nine, and thus for the time he was conſtrained to abandon his long-cheriſhed ſchemes of eccleſiaſtical polity in Scotland.

In October 1641, while the King was ſtill reſident in this country, the tidings firſt came of an event which rouſed the whole population of England and Scotland—viz. the rebellion of the Roman Catholics of Ireland and the maſſacre of the Proteſtants reſiding there. It is remarked by Malcolm Laing, one of the ableſt of our hiſtorians, that "Inſurrections directed in Scotland to the preſervation of civil and religious liberty, though inflamed by enthuſiaſm, had ſubſided with little bloodſhed, and without devaſtation; but the inſurrection in Ireland was excited by motives of the moſt debaſing ſuperſtition, the moſt inſatiate rapine, and the moſt inhuman revenge."[1] Hume and other hiſtorical writers give a detailed account of the atrocities to which the Proteſtants were ſubjected, and variouſly eſtimate the number of thoſe who periſhed to have been between 40,000 and 200,000. When the firſt information was tranſmitted to Scotland, neither the magnitude nor the enormity of the Rebellion was known. The King communicated with the Scottiſh Parliament, calling on them, that as ſome commotions had ariſen in Ireland, they ſhould co-operate with the Engliſh Parliament in ſuppreſſing it. The Earl of Lothian was accordingly ſent with others to concert meaſures for this purpoſe with the Engliſh, and his notes of theſe negotiations are

[1] *The Hiſtory of Scotland, from the Union of the Crowns* (1603) *to the Union of the Kingdoms* (1707). Lond. 1806. Vol. iii. p. 204.

printed at page 130. On aſcertaining from the King, on November 1, the imminent danger, the Committee for "the Iriſh buſineſs" recommended that eight regiments ſhould with all diligence be levied, conſiſting of 2500 Highlanders and 7500 from the Lowlands.[1] The Earl of Lothian was appointed to the command of one of theſe regiments. Lord Angus, in writing to the Earl on the 24th April 1642, ſays, "I have heard of the embarking of your regiment; for certification hereof, Sir John Murray is come down." Whether Lord Lothian perſonally joined them in Ireland is ſomewhat doubtful, but his regiment remained there till February 1644.

Other employment, however, was impoſed upon the Earl of Lothian. In December 1642 he was ſelected by the Privy Council of Scotland to proceed on an embaſſy or ſpecial miſſion to the King of France, and appears to have been quite ſucceſsful, yet it proved moſt diſaſtrous to himſelf in its reſults. Without referring to the fabulous accounts of the ancient Alliances between Scotland and France, carried back by tradition to the reigns of Achaius and Charlemagne, A.D. 789, we know that the Scottiſh Archer Guard in France[2] was conſtituted by Charles the Sixth in the early part of the 15th century; and Sir Walter Scott, in "Quentin Durward," has immortalised them and their old Colonel, Lord Crawford, along with Ludovic Leſley, called *Le Balafré*, as flouriſhing in the reign of Louis the Eleventh, who long before had ſaid that "they held in their hands the fortune of France, as to them were intruſted the direct cuſtody and protection of the royal perſon." The ancient privileges enjoyed by the Scottiſh Guard were often infringed or withheld, and it was ſome complaint of this kind, made by the Privy Council of Scotland, that led Charles the Firſt to reply to their letter, October 10, 1642, authoriſing them to appoint "ſuch as you think moſt fitt to treat

[1] Balfour, in his *Annals*, has given a full report of the proceedings in Parliament, 1641.

[2] See volume printed for the Maitland Club of *Papers relative to the Royal Guard of Scottiſh Archers in France.* Edinb. 1835, 4to.

with thoſe who ſall be warranted by our Brother the French King." The Privy Council accordingly, December 10, gave commiſſion to William, Earl of Lothian, to repair to the kingdom of France for this purpoſe. On reaching London he obtained this warrant from the Commons :—

18 CAR. I. 1642(-3), January 4—*Ordered,* That the Lord Linſey and the Lord Louthian ſhall have Mr. Speaker's warrant for themſelves, and ſix ſervants apiece with their horſes, to go and come to Oxon.[1] C.

Lord Lothian accordingly proceeded to Oxford, and obtained formal inſtructions from the King, January 10, 1643 (as printed at p. 142) ; he being jealous of any interference with his royal authority; at the ſame time enjoining a ſpeedy return, and to report in perſon the reſult of his miſſion. On the 8th of December a precept for £2000 ſterling was granted to the Earl for defraying his expenſes. On January 13 the Houſe of Lords "*Ordered,* That the Lord Lothian ſhall have a paſs to go into France, being employed by the Crown of Scotland about ſome buſineſs there." A veſſel was placed at his diſpoſal by the Earl of Warwick, at that time Lord High Admiral of England, and he ſailed from Dover about the 21ſt of January 1643.

The Earl of Haddington, in a letter dated June 1643, refers to "the good ſucces of your Lordſhip's voyage, and of the favorable anſwer your Lordſhip hes gotten heir, touching the places and priviledges that did before belong to Scotſmen which we hear is of new re-eſtablifched to them again, therefore they urge that I ſhall ſeike the place of the Captaine of the Scots Gairde of fyve-and-twentie, commonly called *la Garde de Manche!*"[2]

While the Earl of Lothian was detained in France, a circumſtance occurred which cannot be paſſed without ſome notice—the death of Lord Kerr, the only ſon of the Earl of Roxburgh, without male iſſue.

[1] Houſe of Commons, vol. ii. p. 913.

[2] See p. 142.

Lady Lothian, in writing to the Earl of Ancram, April 20, 1643, fays —"Your Lordſhip hath heard of the Lord Ker's death. His lady is now brought to bed of a fourth daughter. There are many reportis going that my Lord Roxburgh is about to ſettill his eſtaitt. Your Lordſhip knoweth my intereſt in that Houſe. I have the honour to be com'd theroff. My father, gif he wer alyve, wer the narreſt air-maill and of tallie to it. My ſonne is narreſt in blood of any of the maill Kers." But any ſuch claim to the ſucceſſion to that Earldom, on behalf of Lord Kerr of Newbattle, was unſucceſsful, as the Earl of Roxburgh, who died in 1650, aged about 80, had gone through the proceſs of ſurrender in 1643, and obtained the Royal promiſe to ſanction the nomination of any feries of heirs he might chooſe to appoint. A further reference to the diſputes which this matter occaſioned will be given in connexion with the Genealogical Tables of the Kerr family at the end of this Memoir.

Whilſt his miſſion was favourably progreſſing, Lord Lothian, before leaving France, was ſeized with fever, and remained in ſuch a dangerous ſtate that his mother-in-law, Annabella, Countefs (Dowager) of Lothian, in a letter to the Earl of Ancram, July 23, ſays—"My Lord and deare Brother, If I had wreten to you this long tym, it had bene bot ſad newes of our ſone's ſicknes, and I confes I had him in my armes once that I feared ye ſhould never haue ſene him, bot the grace of God is nearer nor the faire evin, and I truſt he is ſpaired now that we may goe before him, who wold taſte but little comfort if he wer gone; but the will of God be done, and he will doe it, tho' we had ſworn the contraire."

On Lord Lothian's recovery he returned and reached London, September 27, "weary and ſore with a ſhort journey." He was warned of the danger to which he would expoſe himſelf, yet, true to his inſtructions, he haſtened to Oxford to render an account of his embaſſy.

The King, upon ſome unfounded ſuſpicions of treachery, would not receive the Earl on his arrival. For ſeveral weeks his Lordſhip

was kept in reſtraint at Oxford; and when at length "all calumnies were clearly diſcuſſed, to his Majeſty's full contentment," on being admitted to an audience of the King, he was required to ſwear not to bear arms without expreſs direction from his Majeſty. Declining conſcientiouſly to take ſuch an oath, he was, in the moſt arbitrary manner, ſent a priſoner to Briſtol Caſtle, where he was kept in cloſe confinement, and treated with the utmoſt rigour. Confined in one narrow room with no ſervant to attend him, "but three men within, and two muſketeers at the door without," to keep watch and ward, his condition was moſt lamentable; and his weak ſtate of health, from his ſerious illness in France, combined with the ſeverity of his impriſonment, nearly coſt him his life.[1] At length the King, on the interceſſion of many of his friends, gave orders that the rigour of his confinement ſhould be ſomewhat relaxed.

The Convention of Eſtates at Edinburgh, on the 3d of January 1644, paſſed an Act in favour of William, Earl of Lothian, approving of his proceedings in France, he "having gone be his Majeſties warrand into France, and having diſcharged that truſt committed to him, the Counſell were ſurpriſed be ane petition given into them be the Counteſſe of Lothian, ſchewing that the ſaid Erle wes retained at Oxford," etc.; and remonſtrating againſt his treatment, and declared that "they are obliged be the Law of God and Nations to uſe all means to the utmoſt of their power for the libertie of the ſaid Erle."[2]

Meanwhile his caſe was brought before Parliament, while his friends were making ſtrenuous efforts to ſecure his releaſe. The following reſolutions, which occur in the Journals, may be quoted :—

19 Car. I. 1643-4, February 20.—*Reſolved*, etc., That the caſe and condition of the impriſonment of the Lord Lowthian be referred to the conſideration of the committee of both Kingdoms, to conſider what is fit to be done for his releaſe; and to report their opinions at the next ſitting of the C.

[1] See extract from Baillie's *Letters and Journals* in note to p. 157.

[2] *Acts of Parliament*, vol. vi. p. 60.

House. Sir Rob. Pye is appointed to carry up to the Lords the vote concerning the Earl of Lowthian; and the forces of the kingdom, etc.

— Brought word, that the Lords are riſen.[1]

Ordered, That Sir Rob. Pye do, to-morrow, carry up to the Lords the oath for the committees for both Kingdoms; and the other meſſages this day appointed to be carried up by him.[2] 1643-4, February 20.

L. 19 CAR. I. 1643-4, February 21.—That the caſe and condition of the impriſonment of the Lord Lothian be referred to the conſideration of the committee of both Kingdoms, to conſider what is fit to be done for his releaſe; and to report their opinions at the next ſitting of the Houſe. Agreed to.[3] Meſſage to Committee as to his impriſonment.

C. 19 CAR. I. 1643-4, February 22.—Sir Rob. Pye brings anſwer, That the Lords do agree to the vote concerning the commitment of the Lord Lowthian.

Reſolved, etc., That to expreſs the good affections of this Houſe to the kingdom of Scotland, they do aſſent and order that Colonel Goring ſhall be exchanged for the Lord Lowthian; provided that the Lord Lowthian be delivered into my Lord General's quarters before Colonel Goring be diſcharged.[4] 1643, February 22.

C. 19 CAR. I. 1643-4, March 12.—The letter ſent from the Earl of Forth, of the twenty-eighth of February, to the Earl of Eſſex, concerning the exchange of the Lord Louthian for Colonel Goringe, and touching the King's children at St. James, ſent down in a meſſage from the Lords on Saturday was ſevennight, was read: and this Houſe doth concur with the Lords in opinion, and hope they ſhall have as great a care both of their bodies and ſouls here, as they at Oxon can have.

The Lord General is to be acquainted herewith; and to be deſired to return an anſwer to this purpoſe.[5]

The Earl of Lothian was at length releaſed in March by an exchange for Sir Charles Goring, and ſeems immediately to have returned to Newbattle. He was preſent at the meeting of Parliament held at Edinburgh in June 1644, and on the 17th July an Act was

[1] Houſe of Commons, vol. iii. p. 403. [2] Ibid. p. 404. [3] Lords, vol. vi. 435*b*.
[4] Houſe of Commons, vol. iii. p. 404. [5] Ibid. p. 425.

paſſed in favour of William, Earl of Lothian, in regard to his employment and commiſſion to France by the Lords of Privy Council, declaring, "That he hes worthilie acquitt himſelfe theiranent according to the truſt put upon him. And conſiddering that the ſaid Erle of Lothiane hes been at great charges and expenſſis, and hath ſuſtenid great loiſe, hurt, and prejudice, through the delayes of his diſpatche in the ſaid employment, occaſioned be the death of the King of France, and throw his awne ſeeknefs in that kingdome, and by his reſtraint at Oxford, and long impriſonment in England in the caſtle of Briſtoll, whilkis charges, expenſſis, loiſſe, hurt, and prejudice, the Convention of Eſtates be their act the third of Januar laſt declared they wald make up: Thairfore the ESTATES of this preſent Parliament Recomendis and Remittis to the Committee of Eſtates reſideing at Edinburgh, to conſider agane the ſaid Erle his charges, expenſſis, loiſſes, and prejudices occaſioned in manner aforeſaid, with his deſervings and panes in the ſaid employment," etc.[1]

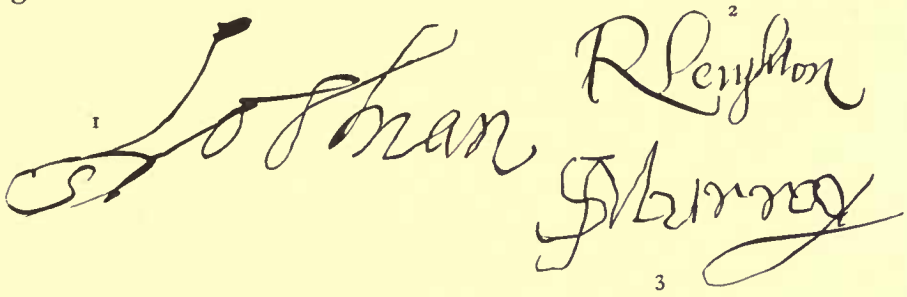
While the Earl of Lothian had thus been precluded from engaging in any public matters, four Commiſſioners from the Engliſh Parliament, and two members of the Weſtminſter Aſſembly of Divines, were preſent at the meeting of the General Aſſembly held at Edinburgh in Auguſt 1643. Their object was to treat for a Civil League between the two kingdoms. In Scotland, however, a Religious Bond was deſired, and on the ſuggeſtion of Alexander Henderſon, the Moderator, both objects were conjoined, and THE SOLEMN LEAGUE AND COVENANT, then propoſed, was finally adopted in both countries.

Inſtead of large ſheets of parchment, copies were printed in ſmall quarto with the title—"A Solemne League and Covenant, for Reformation, and Defence of Religion, the Honour and Happineſſe of the King, and the Peace and Safety of the three kingdomes of Scotland, England, and Ireland. Edinburgh: Printed by Evan Tyler, Printer

[1] In a ſubſequent Act of Parliament, January 1ſt, 1647, the claims of the Earl of Lothian upon the Eſtates of Parliament are recapitulated, but in thoſe days the payment of ſuch debts could not be reckoned upon.

to the King's Moſt Excellent Majeſtie, 1643." Theſe copies have blank leaves added, with the head title on each page :—"The Subſcribers of the League and Covenant."

One of theſe copies, ſigned at Newbattle, in October 1643, is preſerved in the Antiquarian Society's Muſeum. The date on the fly-leaf, is in the handwriting of Robert Leighton, the miniſter of the pariſh. The following facſimile of the three principal ſignatures may be repeated from the Bannatyne Miſcellany, vol. iii. p. 231, where the copy is deſcribed.[1] Lord Lothian's name could only have been added at a ſubſequent date, in conſequence of his enforced abſence in England.



Soon after Lord Lothian's reſtoration to his family, his Lordſhip was directed by the Eſtates of Parliament, along with the Marqueſs of Argyle, to go in purſuit of Montroſe, who, having raiſed an army of Iriſh and Highland troops, had defeated the forces oppoſed to him at Tippermuir under the command of Lord Elcho, September 1, 1644. The "Notes" of the Earl of Lothian, printed at p. 171, along with a ſubſequent letter, explain their rapid movements between September 4, when he left Edinburgh, and the end of October. The Parliamentary forces were under the command of the Marqueſs of Argyle, who for courage and military reſources was by no means any match

[1] Theſe ſignatures are (1) William, Earl of Lothian; (2) Robert Leighton, Miniſter of Newbattle; (3) Sir John Murray, Gentleman of His Majeſty's Privy Chamber, and younger brother of Sir Archibald Murray of Blackbarony. See *Proceedings of the Society of Antiquaries of Scotland*, vol. iv. p. 487.

for Montroſe, during their inceſſant marches and countermarches. Montroſe had ſecured an advantageous ſituation near Fyvie, and Argyle, although commanding a much ſuperior force, yet failed, by his caution and want of energy, in producing any ſpecial reſults. The account given by Baillie[1] may be quoted :—

"You heard what followed of *that ſtrange courſeing*, as I remember, thryce round about from Spey to Athole, wherein Argyle and Lothian's ſojours were tyred out; the countrie, haraſſed by both, and no leſs by friends than foes, did nothing for their own defence."

"Whether through envy and emulation, or negligence, or inabilitie, Argyle's armie was not relieved as it ſhould, himſelf was much grieved, ſo that he laid downe his commiſſion, which *neither Lothian nor Callander* for any requeſt would take up; ſo Baylie[2] wes forced to take it, or it muſt have lyen. In the meantyme, the enemie, after this long ſtorme, ſchoreing to fall downe on Glaſgow, turned to Argyle, and came through it all without oppoſition; burnt Inveraray; killed and ſpoyled what they pleaſed."

The eulogiſts of Montroſe boaſt of the advantages he gained over Lord Lothian's cavalry; but he himſelf, in his letter to Lady Lothian, October 30, ſays diſtinctly, "We heard that the rebells were at Fyvy, upon which, upon Monday morning, we marched towards them, but found [them] lying ſoe ſtrong in a wood, that they could not be forced out of it by ane army. We beat in all came out, and killed at leaſt 15 or 16. *We loſt ſome two of my regiment;* your uncle's people, one; a trooper or two: amongſt the horſe were ſome kill'd likewiſe, for they had great advantages of dikes and houſes. I have related to you all the loſſe and hurt." He concludes with ſaying, "I wiſh I were diſingaged; but I muſt bide it out till it be donne handſomely, for death is better than diſcredite. Beſides, I will be loath to leave your uncle" (the Marqueſs of Argyll).

Montroſe having effected his retreat to the wild diſtricts of Badenoch, inacceſſible to horſe, his opponents diſperſed to their winter quarters in November 1644; and in the following year the King

[1] Baillie's *Letters and Journals*, vol. ii. p. 262.

[2] Lieutenant-General William Baillie, in his *Vindication*, makes a ſimilar ſtatement.

ordered Montroſe, his Lieutenant-General, to diſband his forces and retire either to France or Holland.

The Earl of Lauderdale, writing to Lord Lothian from Worceſter Houſe, March 13, 1645, ſays,—"In that part of the deſpatch which concerns your Lordſhip, the Committee of both kingdoms have made it a part of the report that is to be made to the Houſe, that it is neceſſary that your Lordſhip be written to goe and take the charge of the armies in Ulſter, as Lieutenant-Generall, according to your commiſſoun, and that your Lordſhip be incouraged and inabled to goe." The Earl of Lothian, however, ſeems at this time to have reſided conſtantly in Scotland, as his name occurs among the nobility preſent at the meetings of Parliament in Edinburgh that year.

After the battle of Naſeby, June 14, 1645, the King found himſelf in a very hopeleſs ſtate. He firſt retired to Wales, and then to Oxford, where he remained for more than eight months cheriſhing deluſive hopes of ſtirring up jealouſy between the Preſbyterian and Independent factions. On the approach of Fairfax to beſiege the city, Charles, finding he could not remain much longer in ſafety at Oxford made his eſcape in diſguiſe at night on April 27, with only two attendants, and within eight days took ſhelter unexpectedly with the Scottiſh army before Newark. He was received with all due reſpect, but ſoon after, for greater ſecurity, he was eſcorted to Newcaſtle, and arrived there on Wednesday, May 13. He was informed, however, that unleſs he ſigned the Covenant and gave an unfeigned aſſent to the eſtabliſhed Preſbyterian form of Church government, it was hopeleſs to expect anything from the leaders of the Scottiſh army. In Baillie's *Letters and Journals* will be found various reports on the ſubject then in circulation. A few ſentences may be quoted.

(May 8th.)—"The King, on Monday early, went, as Aſhburnham's man, out of Oxford. For almoſt eight dayes, great fear and ignorance here whither he had gone. Many did think he was in London, many that he was for Ireland. At laſt he was found in our armie at Newark."

(May 15th.)—"There was great appearance of furrounding our armie at Newark, with all the forces they had, at leaſt with twenty thouſand weel-armed men, to take

the King from us to priſon, or to cut us off. This made us, after the ending of the capitulation of Newark, to retire with ſpeed. We are now out of their danger in haſte. The faction's great deſigne is to continue the warre, a peace is their quick and evident ruin; . . but our great perplexitie is for the King's diſpoſition. . . By God's help, they will endeavour to make him take the Covenant [and] be fully directed to follow the advyce of his Parliament. If he doe ſo, we expect from God preſentlie a happy peace; if his induration be remeedileſs, our Army will not ſhelter him: for, by God's grace, doe he what he will, we ſhall be honeſt and ſticke by our Covenant, how greatlie foever this people ſuſpects, meaſuring us by their own hearts."

(July 28.)—"When I look upon the diſpoſition of all men I know, I ſee nothing bot ruine for poor Scotland, except the God of Heaven help yow there to ſave that poore Prince from deſtroying of himſelf and his poſteritie, againſt whom he has but invocat too oft the name of God. Though he ſhould ſwear it, no man will believe it, that he ſticks upon Epiſcopacie for any conſcience."

The Earl of Lothian has preſerved ſome Notes of the proceedings at Newcaſtle in May and June 1646. There is alſo at page 185 a very intereſting letter, in reference to the King's preſence with the Scots, addreſſed to Lord Lothian by Robert Leighton, from Newbattle, June 8, 1646, in which he ſays—"Your Lordſhip's faithfulneſſe and freedome we learn of here, with as much contentment to all well-minded, *as poſſibly it is of diſcontent to Him* (the King) *that ſtill moſt miſtakes thoſe that wiſh him beſt.*"

In writing to his father (July 30) he ſays, "I am ſtriving to diſſingadge myſelf of all publike affairs, and only betake myſelf to my private affairs; for I gett every day diſguſts and diſpleaſures, which you will knowe better from others then myſelf."

While the King, ſafely lodged in Newcaſtle, was engaged in diſputes regarding Preſbytery and Epiſcopacy,[1] the Engliſh were deſirous that the Scottiſh Army, now that the war was over, ſhould leave the kingdom. The Scots themſelves were not leſs deſirous to return. Two important queſtions, however, remained to be firſt ſettled. One was, the payment of arrears that were claimed as due from the Engliſh Parliament; the other, the diſpoſal of the King's perſon. After conſiderable diſcuſſion, beginning Auguſt 12, on Sep-

[1] See note to page 183.

tember 1, the amount of arrears definitely fixed was £400,000, one half to be advanced before the departure of the Scottiſh army.

The other point was carried on ſimultaneouſly,[1] but they were quite diſtinct from each other. The Houſe of Commons, September 18, reſolved, that the diſpoſal of the King's perſon belonged excluſively to the two Houſes. This was reſented by the Scottiſh Commiſſioners, who claimed to have a natural and equal right to vote, in regard to the King's perſon. Their conduct in this diſpute was in itſelf ſufficient fully to exculpate them from the charge of any previous ſecret-bargain (which has frequently been alleged), in the unjuſt aſperſion of the Scots *ſelling* their King for £200,000, when they received payment of arrears. Had this been ſo, it might be aſked whether the Engliſh had any claim of acting more honourably, if they reſorted to ſuch a palpable act of bribery in order to accompliſh their object of *killing* their King?

It has, at leaſt, never been called in queſtion that the King's reſorting to the Scottiſh camp was a ſtep quite voluntary on his own part, having received neither invitation to do ſo nor guarantee for his ſecurity. A letter to the Committee of both kingdoms touching the King's coming to the army was addreſſed, May 6, 1646, by the General Lord Leven, the Lords Dunfermling, Lothian, and ſix others,

[1] "It unavoidably happened (ſays Godwin), that the treaty for the four hundred thouſand pounds to diſcharge the demands of the Scots and the arrears due to the Scots army, and the negociation for delivering up the King's perſon, went on at the ſame time, and by correſponding ſteps; and this in the ordinary language of hiſtory has been called *bartering the King's person for gold.* It is true that from the circumſtances of the time the one could not go on without the other: the money would not have been paid when it was paid, and the perſon of Charles would not have been delivered to the Engliſh juſt at that period, if it had not been neceſſary that the one and the other ſhould be done without delay. Both meaſures were juſt. The Scots army had earned their wages, and could not be diſbanded without this ſupply. And no perſon who underſtood the true intereſts and welfare of Scotland can fail to believe that it would have been madneſs on the part of the Northern nation to have carried the King back with them into their own country, unleſs he firſt took the Covenant." (Godwin's *Hiſtory of the Commonwealth*, vol. ii. pp. 255-6.)

in which they declare "that there hath been no Treaty nor Capitulation betwixt his Majeſty and us, nor any in our names; and that we leave the ways and means of peace unto the power and wiſdom of the Parliaments of both Kingdoms."[1]

The queſtion itſelf was one of great difficulty. Charles was quite aware that his preſence in Scotland would immediately have given riſe to a renewal of the civil war. This he might not have lamented, as under all his varied circumſtances the King ſtill continued to deceive himſelf by cheriſhing the deluſive hope of regaining ſupreme power through diſunion of his enemies, which (in Hallam's words) "lured him on to deſtruction."

The brief ſummary of proceedings at this time, as contained in the Memoirs of Robert Blair, miniſter of St. Andrews, is worthy of notice, he himſelf having been one of the Commiſſioners.

"In end, the Parliament aſſented to the votes of the Engliſh Parliament, anent the removal of our army out of England, anent the payment of their arrears, and (in caſe the King ſtill continued to refuſe to ſatisfy the juſt deſires of his Parliaments for the ſecurity of religion and the peace of the kingdoms) anent the King's going to Holmby-houſe. They reſolved that, if the King would not ſubſcribe the Covenant and Propoſitions, that the kingdom ſhould be governed as theſe ſix years bypaſt. . . . All buſineſs being thus accorded and ordered, in January 1647 our Parliament did yet again ſend up Commiſſioners to the King, viz. Lothian, Balcarras, Frieland, Garthland, and William Glendinning. The Chancellor (the Earl of Loudoun), being come from London did join with them at Newcaſtle. Their commiſſion was, that the King would yet be pleaſed (ſo ſincerely deſirous were all honeſt men of his welfare and happineſs) to ſubſcribe the Covenant and Propoſitions, and heartily join with his Parliaments for the advancement of the work of Reformation of religion in his kingdoms. The King, as oft before, refuſed either to ſubſcribe the Covenant or Propoſitions. He was deſirous to have come to Scotland with the Army, hoping to make a ſtrong party there for his deſigns. But both Parliaments having concluded his going to Holmby-houſe, he intended, in a diſguiſe, to make his eſcape (as was thought), but could not get it done. Being challenged by the firſt guard he came towards, he retired again into his bed-chamber."[2]

The Scottiſh Commiſſioners preſented to the King at Newcaſtle the votes of the Parliament of Scotland, January 12, 1647, to the

[1] Printed in Ruſhworth's *Collections*, Fourth Part, vol. i. p. 268.

[2] *Memoirs of Mr. Robert Blair;* Wodrow Soc. edit., p. 193.

effect that unleſs he granted the Propoſitions concerning religion and the Covenant, "your Majeſty cannot be admitted to come or remain in Scotland, with freedom." The King's anſwer, refuſing to give his conſent, being returned back to Edinburgh on the 16th, was laid before a meeting of Parliament on that day, and produced the DECLARATION OF THE KINGDOME OF SCOTLAND CONCERNING THE KING'S MAJESTIE'S PERSON,[1] from which the following is an extract:—

"Therefore the Eſtates of Parliament of the Kingdome of Scotland, and in regard of his Majeſties not giving ſatisfactorie anſwer to the Propoſitions as yet, and out of their earneſt deſire to keep a right underſtanding betwixt theſe Kingdomes, to prevent new troubles within the ſame, to ſatisfie the deſire of his Majeſty, and the two Houſes of Parliament of England, and of this Kingdome, for his reſidence in ſome of his houſes near the Parliament of England, and to prevent miſ-information, and to give ſatisfaction to all; Do declare their concurrence for the King's Majeſties going to Holmeby-houſe, or ſome other of his houſes in or about London, as ſhall be thought fit, there to remain untill he give ſatisfaction to both Kingdomes in the Propoſitions of Peace: *And that in the interim there be no harme, prejudice, violence, nor injury done to his Royall Perſon:* That there be no change of Government other then hes been theſe three yeares paſt: And that his poſterity in nowayes be prejudged in their lawfull ſucceſſion to the Crown and Government of theſe Kingdomes."

The time propoſed for the removal of the Scottiſh army, and to leave the King in the hands of the Engliſh Commiſſioners, being near at hand, the noblemen and others who were appointed to conduct the King to Holdenby or Holmeby, left London, January 12, 1647, and on the ninth day following arrived at Newcaſtle. Sir Thomas Herbert, then a youth, had been appointed Groom of the Chambers to his Majeſty, and, as an eye-witneſs, he has preſerved in his Memoirs many intereſting particulars regarding his Royal Maſter. In noticing their arrival and reception, he ſays, "The Commiſſioners, after a very ſhort repoſe, went to the houſe where the King then lodged in Newcaſtle; and being conducted to the preſence-chamber, his Majeſty, ſoon after his being acquainted with their coming, came into the preſence, and with affability received and gave them his hand to kiſs; and being by the Commiſſioners told the occaſion of their

[1] *Acts of Parliament*, vol. vi. p. 239.

repair thither to attend his Majeſty, the King ſeemed very well pleaſed therewith, and ſaid they were welcom, for he knew moſt of them, none of them were ſtrangers to him, and no leſs welcom was their buſineſs; well hoping, that his drawing nearer his Parliament would be a means to remove jealouſies and diſtruſts, and eſtabliſh a right underſtanding betwixt him and his two Houſes of Parliament.

"The King, both by his alacrity and cheerfulneſs of his countenance, made it appear to all that were there (and the preſence-chamber was then full), that *he was no leſs willing to part from the Scots than they with him*, and that his going South was very ſatisfactory to him; and after ſome mirthful paſſages with the Earl of Pembroke . . the King told him he was glad to ſee that he could ſo well in his old age perform ſo long a winterly journey, with the reſt of the Commiſſioners who were youthful. He then adviſed them to go and refreſh themſelves, and attend him the next morning. Which the Commiſſioners accordingly obſerved."[1]

The Earl of Lothian and James M'Dowall of Garthland were ſpecially appointed by the Scottiſh Parliament to attend the King in his journey to Holmeby-houſe. The Earl continued with the King apparently for ſome weeks, and appears afterwards to have viſited London.

On the 30th of January the other Scots Commiſſioners took leave of the King, and their Army evacuated the town of Newcaſtle, having received payment of the firſt inſtalment of their arrears. Charles and his attendants arrived at Holmeby or Holdenby about the middle of February, and remained there for ſome months, treated with great reſpect, partly owing to his own quiet and dignified deportment, as he can "ſcarcely be accuſed of having loſt ſight at any time of the perſonal demeanour which he thought befitting a King."[2]

[1] *Memoirs of the Two laſt years of the Reign of King Charles I.* Lond. 1702. 8vo. Republiſhed, Lond. 1813. 8vo.

[2] Godwin's *Hiſtory of the Commonwealth*, 1826, vol. ii. p. 262.

In October the Committee of Eſtates ſent the Earl of Loudoun Lord Chancellor, and the Earl of Lanerick, to unite with Lauderdale, at that time in London, in endeavouring to procure a reconciliation between the King and the Engliſh Parliament. In this they failed, but continued to manifeſt the loyalty of their nation to the *perſon* of the King, by ſending a letter to the Speaker of the Commons, November 5, complaining of the violence done by the army to the King's perſon, and of his being ſtill detained in captivity; intimating "that no alteration of affairs ſhall ever ſeparate them from the duty and allegiance they owe unto his Majeſty, nor from their conſtant reſolution to live in loyalty under his government;" and deſiring that "there may be a Perſonal Treaty with his Majeſty, as the beſt and readieſt means to obtain the joint deſires of both Kingdoms."[1]

The Committee of Eſtates met at Edinburgh on the 8th of February 1648, "on which day, both the Engliſh Commiſſioners, Mr. Aſhurſt and Collonell Birch, came to Edinburgh with Mr. Marſhall, and alſo the Scots Commiſſioners that night. . . The Marquis of Arguile, the Earl Lauderdaile, and the Lord Lothean, gave our Commiſſioners a viſit at their lodging. . . Theſe three Lords were very courteous to our Commiſſioners, and the Scots in generall are civill to them."[2]

The renewed agitation in Scotland in favour of the reſtoration of the King, by the Royaliſts, under James, Duke of Hamilton, which led to what was called *The Engagement*, but to which Argyle, Lothian, and the church party were decidedly oppoſed, proved moſt unfortunate. An invaſion of England was attempted in Auguſt that year, for the purpoſe of obtaining poſſeſſion of Carliſle and Berwick for garriſons. This reſulted in their total defeat at Preſton, and precipitated the fate of their Royal Maſter.

[1] Ruſhworth, part iv. vol. ii. p. 864.

[2] *Papers from Scotland of Tranſactions of the Scots Commiſſioners concerning the King and the Parliament of England, delivered at the Convention of Eſtates at Edinburgh.* London, 1648. 4to.

The Army having ſecured the ſupremacy, after Charles had refuſed to accept the treaty at Newport, preſented, in September, a Remonſtrance to Parliament, demanding execution of juſtice on the King, as guilty of all the bloodſhed in their long-continued National calamities.

A ſtrong feeling in the King's favour ſtill prevailed in Scotland, notwithſtanding their experience of his obduracy and want of ſincerity in all his negotiations. In the month following the Scottiſh Parliament accordingly appointed as their Commiſſioners the Earl of Lothian, Sir John Cheiſlie, and William Glendinning,[1] to repreſent to the two Houſes, that as they were in no ways acceſſary to the late breach that had taken place, they would willingly concur in any good meaſure for the ſettlement of peace, and their readineſs to appoint Commiſſioners to ſet on foot a new treaty with the King.[2]

The Engliſh Sectaries, however, having now decided to take away the King's life, he was brought priſoner from the Iſle of Wight to Windſor. The Scottiſh Commiſſioners in London were immediately inſtructed to oppoſe ſuch proceedings by all means poſſible; but "that nothing proceed from you, juſtifying the King's proceedings and actions, or in approbation of the late Engagement." Theſe Commiſſioners accordingly, January 6, 1649, in name of the Kingdom of Scotland, prefented in writing a ſtrong remonſtrance, and continued their exertions by authority from both Church and State, by proteſts and otherwiſe, that ſhould they proceed and pronounce ſentence againſt the King, "that this Kingdom may be free of all the deſolation, miſery, and bloodſhed that inevitably will follow them." Moreover, as the Earl of Lothian relates in his letter to Charles II. in 1660, they "dealt with the Ambaſſadors of France and Holland, and with all other perſons, that in any manner could have helped to hinder that moſt wicked Act," and they likewiſe endeavoured, up till January 29, the day before the King's execution, to entreat Fairfax

[1] Or Glendonning: he was Provoſt of Kirkcudbright.

[2] *Acts of Parliament*, vol. vi. p. 424.

and Cromwell to interpoſe their authority to ſave the life of Charles. The letter of the Commiſſioners addreſſed to Lord Fairfax is already printed at page 238, but that to Cromwell is of equal importance, and runs as follows:—

Sir, Wee haue upon ſeverall occaſions earneſtly ſollicited you to contribute your beſt endeavours for preſervation of his Majeſties perſon, and this day wee haue beine thrice ſeeking you, twice at your lodgeing and once elſwhere, but miſſed the opportunity of meeting with you, whereof wee were very deſierous, ſo much the more that wee haue receiued the comands of the Eſtates of the Parliament of Scotland to wait upon you, and earneſtly to intreat your concurrence and aſſiſtance for preventing the takeing away of his Majeſties life, as we haue alſo written in a letter to his Excellency, which hee will comunicat unto you. Sir, you haue beine a witneſs, both formerly and of late, of the reall affection and tender reſpect which all the welaffected of the Kingdome of Scotland haue to the honour and welfare of England, and how zealous they haue manyfeſted themſelves, both by their actions and ſufferings, to preſerve the rights and intereſt of the Kingdome: Wherefore, wee haue the better ground to hope that you will uſe your endeavours that the right and intereſt of the Kingdome of Scotland in his Majeſtie may be duely conſidered, and tender regard had to their honour, who truſted their brethren of this Kingdome with the preſervation of his perſon. Wee doe therefore make it our earneſt requeſt to you, in their names, to interpoſe and to improve your intereſt and power (which wee know to be very great) for preventing the taking away of his Majeſties life; which, if you ſhalbe pleaſed to doe, it wilbe highly accounted of by the Parliament of Scotland, and be looked upon as a ſpeciall obligation, and an addition to all your former kindnes and reſpects. Wee ſhall not neede to adde any argument as from our ſelves, but that it would be a teſtimony that wee haue not beine wanting in our duety, and enable us to giue evidence to the Kingdome of Scotland that wee haue beine faithfull in the diſcharge of our truſt. And ſo we reſt,

Your moſt humble Servants,

Lothian.
Jo. Cheisly.
William Glendoning.

Covent Garden, the 29th of January 1649.

For the Right Honourable
Lieut.-Generall Cromwell.[1]

Fairfax is ſaid to have ſhown a ſtrong deſire to have the King's life preſerved, but his power was not ſufficient to prevent the execution. In the cloſing ſcenes of the life of that monarch, his conduct

[1] *Acts of Parliament*, vol. vi. p. 362.

could not but excite the deepeſt intereſt. When before the Court, on his trial, with great temper and dignity he declined the authority and refuſed to ſubmit himſelf to the juriſdiction of the High Court of Juſtice. "Never monarch (ſays Hume), in the full triumph of ſucceſs and victory, was more dear to his people, than his misfortunes and magnanimity, his patience and piety, had rendered this unhappy prince."

No ſooner had the Eſtates of Parliament received certain intelligence of the King's execution, than they, in order to witneſs abhorrence thereof, at once and without delay proclaimed at the Croſs of Edinburgh, his ſon PRINCE CHARLES, KING OF SCOTLAND. The King's title to the Crown of England and Ireland was alſo duly acknowledged. On the following day inſtructions were ſent from the Parliament to their commiſſioners at London "to come away for Scotland;" and the next day, in an "Act anent ſecuring of the Covenant, Religion, and peace of the kingdom," the Eſtates "declared, enacted, and ordained, that before the King, who now is, be admitted to the exerciſe of his Royall power, he ſhall leave all Counſell and Counſellors prejudiciall to Religion, and to the Nationall Covenant, and to the Solemn League and Covenant." The expediency of this reſolution became afterwards very apparent.

Whitelocke, in his *Memorials* (February 26, 1648-9), ſays—"The Speaker acquainted the Houſe with a letter the Scots Commiſſioners ſent him, at their going away, which was without leave; the letter was full of bitterneſs againſt the Parliament, and their late Proceedings againſt the King, the Houſe of Lords, and the ſecluded members."[1]

Before the Commiſſioners could leave London, they preſented to Parliament the paper, on February 24, recapitulating paſt events ſince 1642, which is printed at pages 239 to 246, under this title—

"THE DESIRES of the Commiſſioners of the Kingdom of Scotland, that both Houſes of Parliament may ſitt in freedome, for ſettling of

[1] *Memorials of the Engliſh Affairs* (1625-1660). Lond. 1732, folio, p. 384.

Religion according to the Covenant, and that King Charles the Second (upon juſt ſatisfaction given) may be admitted to the Government of theſe Kingdoms. Together with their PROTESTATION againſt all proceeedings to the contrary."

Two days later, when this bold Statement and Proteſtation [1] was read to Parliament, ſo much indignation was excited, that the Houſe, upon "taking the ſame into their ſerious conſideration," declared that the ſaid paper, "ſubſcribed by the Earle of Lothiane, Sir John Chieſly, and William Glendoning, in the name of the Kingdome of Scotland," "doeth containe much ſcandalous and reproachfull matter againſt the juſt proceedings of this Parliament, and an aſſuming on the behalf of that Kingdome to have power over the lawes and government of this Nation, to the high diſhonour thereof."

This reception was, indeed, to be expected; Parliament, on the 6th of that month, having aboliſhed the Houſe of Peers in Parliament as uſeleſs and dangerous; and on the following day paſſed an Act for the abolition of Monarchy, and the erection of a Council of State for the government of the Kingdom. The Speaker was likewiſe authoriſed to addreſs a letter, in the name of the Council of State appointed by authority of the Parliament of England, to the Parliament of Scotland, to know, Whether they owned and juſtified the ſaid paper, ſigned by the Earl of Lothian and the two other Commiſſioners?

On the ſame day it was further "Ordered, That the Lord Lothian, Sir John Cheiſley, and Mr. Glendoninge, Commiſſioners of the Kingdom of Scotland, ſhall have a guard ſet on their lodging, to ſecure them from violence; and alſo to reſtrain them from communication with any, by whom the ſedition, contained in their papers, dated the 24th February 1648[-9], might be promulged." Orders had meanwhile been ſecretly conveyed from the Eſtates of Scotland to their Commiſſioners, to proceed, along with Mr. Robert Blair,

[1] This paper, which is of conſiderable length, was not inſerted in the Journals of the Houſe, but was printed at the time, and is inſerted in the *Acts of the Scots Parliament*, when produced and read, March 7 (vol. vi. pp. 404-407).

to Holland, as a deputation to the King, who had taken refuge in that country. Having put themſelves in deep mourning for the late King, they arranged to embark in a veſſel at Graveſend, to which they repaired, immediately after ſending the preceding document to the Engliſh Parliament.[1] But when about to embark, they were arreſted under a warrant from Colonel Harriſon, and committed cloſe priſoners in the Block-houſe at Graveſend.

The Commiſſioners, after being thus kept for ſome days, were ſent with a troop of Cromwell's horſe, under the command of Captain Dolphin, to Berwick, there to be detained, "unleſs the States of Scotland did own their proceedings." This the Committee of Eſtates forthwith did, declaring that "the Earl of Lothian, Sir John Chiefly, and William Glendoning, have behaved and demeaned themſelves wiſely, faithfully, and diligently, in obſervance of the inſtructions and according to the warrants given them, and approve of all their proceedings in relation thereunto; and for their great pains and faithfulneſs therein, ordains the Lord Chancellor, Preſident of the Committee, and in name thereof, to render them hearty thanks."[2]

During Lord Lothian's abſence, the Committee of Eſtates had deprived William, Earl of Lanerick, of the office of Secretary of State for Scotland, as a Malignant whom "the Act of Claſſes" declared incapable of holding any place of public truſt;[3] and William, Earl of Lothian, without his knowledge, March 10, was appointed by Parliament to the vacant office. Charles the Second, by patent, afterwards confirmed this appointment.

The Lord Chancellor Clarendon, whoſe partiality as a hiſtorian is well known, and who appears to have taken ſome diſlike to Lord Lothian, ſays "that when the Earl of Lanerick was deprived of being Secretary of State (in 1648), that office was conferred upon the Earl of Lothian; who, in the beginning of the Rebellion, had been employed by the conſpirators into France, and coming

[1] *Life of Robert Blair*, p. 217. [2] *Journals, Houſe of Commons*, vol. vi. p. 151.
[3] *Acts of Parliament*, vol. vi. pp. 355, 370.

afterwards into England was impriſoned thereupon, and being after ſet at liberty continued amongſt thoſe who, upon all occaſions, carried the rebellion higheſt, and ſhewed the moſt implacable malice to the perſon of the King." Lord Clarendon overlooked the fact that although Lord Lothian was employed by Parliament to proceed to France, the King, jealous of what he conſidered to be ſome encroachment on the royal prerogative, furniſhed him with the "Inſtructions for our right truſty and right wel-beloved couſin and councellour [William] Earl of Lothian, whom we have thought fitt to employ to our deere brother, the French King, upon theſe inſtructions following," as at page 142; and there is abundant proof that Lord Lothian confined himſelf to theſe. Farther, on his return from France, after a long and ſevere impriſonment he only obtained his liberty *in exchange* for Colonel Goring; the cauſe of his impriſonment being, not for any treaſon committed, but for refuſing to take ſome oath againſt his conſcience.

Again, on the erection of the High Court of Juſtice for the King's trial, Lord Clarendon ſays, that, notwithſtanding all the artifices Argyll could uſe, the whole of Scotland was in a flame. Upon which, as Commiſſioners, William, Earl of Lothian, and two others, "were made choiſe of and preſently ſent away, that they might make all poſſible haſte to Weſtminſter; and were, immediately upon their arrival, to demand permiſſion to wait upon the King, wherever he ſhould be, and to receive from him ſuch farther directions, as he ſhould judge neceſſary for his ſervice." After noticing what he calls their private inſtructions, and inſinuating an agreement between Cromwell and Argyll, he adds, "After the King had been twice brought before the High Court of Juſtice, they gave in *their very calm proteſtation*," etc. No mention is made of the previous efforts of the Commiſſioners; and as to the Proteſtation itself, the reader can judge by turning to the Correſpondence given in theſe volumes from page 229 to 246.[1]

[1] *The Hiſtory of the Rebellion and Civil Wars in England, to which is added an*

In the "Compt maid be Sir James Stewart, of Kirkfeild, knycht, Thefaurer of the Excife," from March 1648 to May 1, 1649, we find in the Difcharge, the following payments on account of the Commiffioners who had been fent to London at the time of the King's trial and execution :—

Item, to Michaell Giffin for his charges in ryding poft to London, be publick ordour in Januar 1649 - - - -	£300	0	0
Item, to Lieut.-Generall David Leflie for intelligence, conforme to his receipt, 14 Apryle 1649 - - - - -	610	0	0
Item, to James Grahame to be employed for the ufe of the publick, direct be the Erle of Lowthian, etc., 17 Febr. 1649 - -	240	0	0
Item, to the Erle of Lowthiane, the fowme of tua hundreth pund fterling, for his charge as one of the Commiffioners at London, in Januar 1649, conforme to his receipt, 21 Januar 1649 -	2,400	0	0
Item, to William Glendonyng, as one of the Commiffioners, etc. -	1,200	0	0
Item, payde to Androw Balfour in name of Robert Inglis, for the ufe of the Commiffioners at London, in Februar and Marche 1649 - - - - - - -	13,837	6	3

The Atteftation of thefe Accounts, at Edinburgh, February 12, 1650, contains the fignatures of Loudoun, Lord Chancellor, Argyll, Caffillis, and others.[1]

In the negotiations with Prince Charles, it was not to be expected, from the prevailing ftate of public feeling in Scotland, that he would receive any unconditional invitation. The Commiffioners of the Church and Kingdom of Scotland appointed to proceed to the King, then refident at the Hague, were John, Earl of Caffillis, George Wynrame of Liberton ; and of the Clergy, Mr. Robert Baillie and Mr. James Wood. They found the King influenced by the exiled royalifts or the parties referred to in the previous Act, and in particular by Montrofe, Lauderdale, and Lanerick, who perfuaded him that he might be received, without conditions, by military force.

hiftorical view of the affairs of Ireland, by Edward, Earl of Clarendon. Oxford, 1826, vol. vi. pp. 95, 274, 277.

[1] In the preface to the *Diaries of the Lairds of Brodie*, Spalding Club, 1863, p. xxiii., will be found extracts from the fame accounts of payments to thofe Commiffioners, who had been fent to Charles the Second, at the Hague, in March to June 1649.

The Marquefs of Montrofe, who was at that time in Bruffels, on hearing of the death of Charles, was fo deeply affected, that when his chaplain Dr. George Wifhart (according to his biographer), in order to roufe him from a ftate of defpair, urged, that it was the duty of all good fubjects to avenge his murder, and to devote their lives to the reftoration of the young King, he exclaimed,—"It is indeed, and therefore I fwear before God, angels, and men, I will dedicate the remainder of my life to avenging the death of the Royal Martyr, and re-eftablifhing his Son upon his father's throne."[1] Or, in the words of the celebrated lines by the Marquefs, "Great, Good, and Juft" (but which found very like bombaft),

> I'll fing thine Obfequies with trumpet founds,
> And write thine Epitaph in blood and wounds,

In profecuting this heroic refolution, the Marquefs himfelf became a martyr. He firft landed in Orkney in March 1650, and in April he made his defcent on the mainland in Sutherland. He met with much lefs fupport than he had vainglorioufly anticipated, and was furprifed and defeated by Lieut.-Colonel Strachan at Corbiesdale, April 26, 1650. Although he efcaped from the field, after fome days' purfuit he was feized and carried prifoner to Edinburgh by David Leflie, and, in a vindictive fentence that reflects no credit on Argyll, Loudoun, and other adherents of the Government, was condemned to fuffer an ignominious death upon a gibbet at the Crofs, May 21. When tried before Parliament he juftified all his proceedings, alleging that he had commiffions from the King for all that he did. His inhuman fentence has been afcribed to the Marquefs of Argyll, yet he is faid to have abfented himfelf on the occafion; and, in a letter, dated the following day (fee p. 262), to the Earl of Lothian, who at this time was abfent with the Second Commiffion fent to treat with the King at Breda, he briefly alludes to the fate of Montrofe.

On the return of the Commiffioners from the Hague, in July 1649,

[1] Napier's *Life of Montrofe*, 1840, p. 447.

having failed in their object, they presented a report to the Parliament, and also to the General Assembly, containing copies of the several papers interchanged with Charles the Second in the course of their negotiations. Most of these papers were published officially at the time under the following title:—"The Proceedings of the Commissioners," etc. Edinburgh, printed by Evan Tyler, 1649. 4to, pp. 30.[1]

A renewal of the invitation to the King having been proposed, as he had removed from the Hague first to Paris and then to Jersey, he wrote to the Estates desiring that the Commissioners might, as a more convenient place, meet him at Breda. On March 7, 1650, a second commission was accordingly granted by the Parliament "to John, Earl of Cassillis, William, Earl of Lothian, Alexander Brodie of that ilk, John Winraham of Liberton, Sir John Smith, and Alexander Jaffrey, to repaire to the King's Majestie at Breda, to treat with his Majesty upon the grounds of the former desires presented to him at the Hague, be the Commissioners of the Parliament of this Kingdome according to the Solemne League and Covenant, etc." To their number were added, on the part of the Church, Robert Blair, George Hutcheson, and John Livingston. They were instructed not to extend their treaty beyond thirty days.

Along with their Instructions, printed in the Acts of Parliament of that date, a letter of credit was given to them, of this Kingdome, which authorised them "to borrow beyond seas, upon the credit of this Kingdome, the summe of three hundred thousand pounds (declaring this warrant to be a sufficient security to the lenders; and ordaining the great seal of this Kingdome to be appendit therto)."[2]

A meeting of Parliament was held at Edinburgh, May 25, 1650, when a letter from the King's Majesty to the Parliament was read,

[1] The first portion, or the Report to Parliament, may be found in the *Acts*, vol. vi. pp. 451-459. The other portion, containing the Report of the Church Commissioners, is given in Baillie's *Letters and Journals*, vol. iii. pp. 458-521.

[2] *Acts of Parliament*, vol. vi. p. 514.

dated Breda, May 12, ſhowing that he was heartily ſorry that James Grahame (Montroſe) had invaded this Kingdom, and how he had diſcharged him from doing the ſame; and earneſtly deſires the Eſtates of Parliament to do himſelf that juſtice as not to believe that he was acceſſary to the ſaid Invaſion.

"The Marqueſs of Argyll reported to the Houſe, that himſelf had a letter from the Secretary, the Earle of Lothian, which ſhow him that his Majeſtie was no wayes ſorry that James Grahame was deſait, in reſpect (as he ſaid) he had made that Invaſione without, and contrary to his command."[1]

The King, on hearing of the defeat and capture of Montroſe, found himſelf conſtrained to accept the terms that were impoſed, and ſigned the Covenant.[2] Along with the Commiſſioners he forthwith embarked for Scotland, and having landed at the mouth of the Spey, he arrived at Aberdeen in June 1650. The "malignants" who accompanied him landed at a different part of the coaſt, but they were by the Act of Claſſes excluded from any ſhare in oppoſing Cromwell.

As events happened, it was an unfortunate reſult of the treaty at Breda, that Charles was brought to this country without ſufficient ſecurity being given, to the ſatisfaction of the Commiſſioners, of his ſincerity when he undertook to maintain the Covenanted religion in Scotland. This is fully admitted by one of the Commiſſioners, Alexander Jaffrey, Provoſt of Aberdeen, who ſays :—

"That having gone (to Holland, in the year 1649) in the ſimplicity of our hearts, minding what we conceived to be duty, it pleaſed the Lord to bring us ſafely off without any ſnare or entanglement.

[1] Balfour's *Works*, vol. iv. p. 25.

[2] "Report made to the Eſtates of Parliament of the Kingdom of Scotland, by their Commiſſioners after their return from the King's Majeſty out of Holland. Along with the Papers interchanged betwixt His Majeſty and the ſaid Commiſſioners, as they were reported in Parliament," from March 30 to June 1, 1649, are contained in the *Acts of Parliament*, vol. vi. pp. 451-459.

"But, being again ſent there by the Parliament, in the year 1650, for that ſame buſineſs, we did ſinfully both entangle and engage the Nation and ourſelves, and that poor young Prince to whom we were ſent, making him ſign and ſwear a Covenant, which we knew, from clear and demonſtrable reaſons, that he hated in his heart. Yet, finding that upon theſe terms only he could be admitted to rule over us (all other means having then failed him), he ſinfully complied with what we moſt ſinfully preſſed upon him. . . . In this he was not ſo conſtant to his principles as his Father, in yielding to this Act of ſo great diſſembling."

Another of the Commiſſioners, John Livingſtone, miniſter of Ancram, wrote to Wariſtoun as follows :—

MUCH AND MOST WORTHILY HONORED, I can ſay no more of our buſineſſe then is written in our publick letter to Mr. Douglaſſe, which I know will be imparted to your Lordſhip. . . They do not inclyne that the King be urged with the League and Covenant, and, as I hear of ſome, ſay that any Ordinance wes for it in England is expired, and doeth not now binde. What to make of this I know not. It is like the King come to Scotland whether we agree or not. O, what a company is about him! the quinteſſence of all that were thought evill counſellors befor, and how either he will forſake them, or they leave him, I know not. Yeſterday, D. Buckingham and Marq. Newcaſtle came to him. Looke to yourſelfs, and truſt in God. I cannot promiſe what this treaty may bring forth. The Lord grant wee may returne with a good conſcience.—I am, my Lord, yours in all ſervice,

JO. LIVINGSTONE.[1]

BREDA, 26 March / 5 April } 1650.

Livingſtone, in the Hiſtorical relation of his life written by himſelf, does not ſcruple to blame the Earl of Lothian and Wynrame, who, when "conſulting what to doe in reference to their laſt Inſtructions, they were of the mind that no application by papers ſhould be made to the King anent theſe laſt late Inſtructions till they were arrived in Scotland, ſaying, that if they did it, it would provock the King to take ſome other courſe, and not to goe to Scotland at all."[2]

[1] *Select Biographies* (Wodrow Society), vol. i. 1845, p. 258. See alſo the preface to Brodie's *Diary* (Spalding Club) for more minute notices of the Scottiſh Commiſſioners' proceedings while at Breda.

[2] Ibid. p. 181.

The Engliſh Parliament, on learning of the arrival of Charles in Scotland, immediately determined to carry the hoſtilities into that country, under the joint command of Lord Fairfax and Oliver Cromwell. Fairfax having declined to accept, the Parliament, June 25, appointed Cromwell Captain-General of that expedition, and within three days he ſet forward from London towards the North.

On his arrival in Scotland, Cromwell found himſelf oppoſed by General David Leſlie and Lieut.-Colonel Strachan, who, being ſtrongly entrenched, were not inclined to hazard an engagement. In writing from Muſſelburgh, July 30, Cromwell ſays, "I believe they would rather tempt us to attempt them in their faſtneſs, within which they are entrenched; or elſe hoping we ſhall famiſh for want of proviſions:—which is very likely to be, if we be not timely and fully ſupplied." After a month's manœuvring, he again writes, September 2, from Dunbar, "We are upon an engagement very difficult. The enemy hath blocked up our way at the Paſs of Copperſpath, through which we cannot get without almoſt a miracle. He lieth ſo upon the hills that we know not how to come that way without great difficulty: and our lying here daily conſumeth our men, who fall ſick beyond imagination."[1]

Had matters been allowed to continue for a few days in this ſtate, there ſeems little doubt that Cromwell and his forces would have re-embarked in their veſſels at Dunbar, for want of proviſions; but ſo confident were the Scots of ſucceſs, that Leſlie, being controlled by a committee claiming the authority of Church and State, who were impatient of the fatigues to which they had been expoſed, was conſtrained unwillingly to leave his commanding poſition on the adjacent hills. On the morning of the 3d of September this movement was ſo unexpected that Cromwell, with devout exultation, exclaimed, *The Lord hath delivered them into our hands.* The reſult was a complete victory obtained over the Scottiſh Army.

[1] Carlyle's *Oliver Cromwell's Letters and Speeches.* Letters cxxxv.-cxlvi.

Whitelocke, September 17, records, "That upon news of the victory at Dunbar being brought to the King, 'He thanked God that he was fo rid of the Scots, and faid, The Kirk might now fee their error in prohibiting him to be in perfon with their Army, and keeping out the Engliſh and the reſt of his followers.' That he is now with the Army about Stirling." [1]

General Leſlie himſelf, in the letter printed at p. 297, addreſſed to the Marqueſs of Argyll, September 5, 1650, thus modeſtly refers to his defeat. "Concerning the misfortun of our Army I ſhall ſay nothing; but it wes the viſible hand of God, with our own lacines, and not of man, that defeat them, notwithſtanding of orders given to ſtand to their armes that night. I know I get my owen ſhare of the falt by many for drawing them fo neer the enemy, and muſt ſuffer in this, as many tyms formerly, though I tak God to witneſs wee might have as eaſily beaten them, as wee did James Graham at Philipshauch, if the officers had ſtayed by their troops and regiments."

Robert Baillie mentions that upon the defeat at Dunbar, an attempt was made to remove General Leſlie from the command of the Army :—

"After the woefull rout at Dunbar, in the firſt meeting in Stirling, it wes openly and vehemently preſſed to have David Leſlie laid aſide, as long before wes deſigned, but covertly, by the chiefe purgers of the tymes. The man himſelfe did als much preſſe as any to have libertie to demitt his charge, being couered with ſhame and diſcouragement for his late unhappineſs, and irritate with Mr. James Guthrie publict invectives againſt him from the pulpit. The moſt of the Committee of Eſtates, and Commiſſion of the Kirk, would have been content to let him goe; but finding no man tolerablie able to fupply his place, and the greateſt part of the remaining officers of horſe and foot peremptor to lay downe, if he continued not; and after all tryalls, finding no mal-adminiſtration on him to count of, but the removeall of the Armie from the hill the night before the rowt, which yet wes a conſequence of the Committee's order, contrare to his mind, to ſtop the enemies retreat, and for that end to ſtorme Brockſ-

[1] *Memorials of Engliſh Affairs*, Lond. 1712. p. 472.

mouth Houſe ſo ſoone as poſſible ; on theſe conſiderations, the State, unanimouſly, did with all earneſtneſs intreat him to keep ſtill his charge." [1]

The Earl of Lothian's official duties as Secretary of State may have neceſſarily prevented him from being preſent with the Scottiſh Army, and alſo from accepting the appointment that is thus intimated by Whitelocke, Sept. 20 :—"Letters, that the King inſiſts to have the Lord Ruthen General; but the Kirk will have none but the Lord Louthian; and the old Lord Leven is laid aſide with diſhonour." [2] The Earl of Leven, on account of his age, had previouſly been perſuaded to reſign, yet he accompanied General David Leſlie as a volunteer at Dunbar, without any command. Patrick, Lord Ruthven, created Earl of Forth and Brentford, was alſo far advanced in life, and died February 17, 1650-1.[3]

After the battle of Dunbar, Cromwell at once took poſſeſſion of Edinburgh and Leith, and laid ſiege to the Caſtle. In December, "Dundas and Major Abernethie (ſays Baillie) hes moſt baſely delyvered the Caſtle to Cromwell; all the Miniſters ſaw the treacherie, and proteſted againſt it. Wariſtone, Sir John Chieſlie, and the Provoſt of Edinburgh, who put them in that truſt, contrare to the minds of others, have little credit by it."[4]

In the interim General Leſlie had retired with his forces to Stirling to keep the paſſes. Some demonſtrations made in the Weſt proved unſucceſsful, and Cromwell, in an engagement at Hamilton, completely overcame and routed the force oppoſed to him. He thus "enlarged his quarters now where he pleaſes be-ſouth Forth. However our griefe and ſhame for this deſeat be great, yet the loſs of men was much within a hundred, and the priſoners are not ſoe many;

[1] *Letters and Journals*, vol. iii. p. 111.

[2] *Memorials*, etc., p. 742.

[3] THE DUKE OF BUCCLEUCH AND QUEENSBERRY printed as a contribution to the Roxburghe Club an important volume entitled, "Ruthven Correſpondence : Letters and Papers of Patrick Ruthven, Earl of Forth and Brentford, 1615-1662. Edited by the Rev. William Dunn Macray, M.A." London, 1868, 4to.

[4] Baillie's *Letters and Journals*, vol. iii. p. 128.

and among neither, any man of note, but (who is now priſoner) Collonell Kerr. Straqhan indeed, the chief author of all this miſchieffe, had before foullie betrayed his truſt, and ſince is gone unto the enemie."[1]

The ſad diviſions which at this time rent the Church of Scotland into the two parties known as Reſolutioners and Proteſters, and proved ſo calamitous to the Kingdom, may be briefly noticed. John Nicoll, in his *Diary of Public Tranſactions from* 1650 *to* 1667, ſays under the date October 1650—"The Kingdom being thus in a pitiable and deplorable condition and ſad eſtate from diviſions that ſtill increaſed . . . Diviſiounes ſtill increſt in Kirk and Kingdome, for the Miniſtrie gave out their Declaratiounes, both aganes the King and the Commiſſioneris ſent to him to Gairſey [Jerſey] and Holand, alledgeand that his inbringing to Scotland was by crooked wayes, and that the ſynnes and provocatiounes of the Kinges hous were not repented, and much moir of that ſoirt; as alſo declairand that David Leſlie's airmy wes not for religioun, bot for the King; and that the airmy in the north wes altogidder ſet in malignancie and wald be the Kinges ruyne."[2]

On September 12, 1650, the Commiſſion of the General Aſſembly which met at Stirling, prepared and iſſued "A ſhorte Declaratione and Warninge to all the congregations of the Kirke of Scotland from the Commiſſioners of the General Aſſembly." This was accompanied with "Cauſes of a ſoleme publicke humiliatione upone the defait of the armey, to be keepit throughout all the congregations of the Kirk of Scotland."

Many of the miniſters of the province of Fife at firſt refuſed to read the above papers, and Balfour adds—"As ſome did not ſtick to ſay that five or ſix men were too bold to give out reaſons to a whole church without a more frequent [numerous] meeting of the Commiſſion of the General Aſſembly." It is certain that theſe papers

[1] Baillie's *Letters and Journals*, vol. iii. p. 107.

[2] Nicoll's *Diary*, printed for the Bannatyne Club, Edinburgh, 1836, 4to, p. 32.

expreſſed the ſentiments of James Guthrie and ſome of his brethren who became leaders of the "Proteſters," and gave great offence to the more moderate members in the Church.

At the meeting of the Committee of Eſtates, held at Perth, October 11, 1650, a Remonſtrance from the Provincial Synod of Fife was read, containing remarks on the "crooked ways," as they called them, of the Commiſſioners carrying on the treaty with the King, which called forth great animadverſions. The Lord Chancellor deſired the Miniſters to inform themſelves better in ſome particulars; and the Earl of Caſſillis deſired the Miniſters to condeſcend upon the particulars of ſuch "crooked ways;" while the Earl of Lothian ſaid, "That his carriage in that buſſines was als cleire, als honeſt, and ſtraight, as any miniſter's in the World."[1]

After ſeveral delays from time to time, arrangements were made to crown the King[2] on the firſt of January 1651, and thereafter, "with all our nobility and gentry," to proceed to Stirling, "where it will be reſolved, Whether to go with the body of our army to England, leaving ſuch a party here as to keep and guard the paſſes of Forth againſt the enemy; or, with the [bodie of our] army to attend Cromwell here, and to ſend General Maſſey to England with ſome thouſands of horſe and dragoons. To the former the moſt part inclines."[3] The Coronation accordingly took place at Scone, which had long been the ordinary place of the coronations of the Kings of Scotland. Along with the ſermon by Robert Douglas on the occaſion, there was publiſhed an account of "The form and order of the Coronation of Charles the Second; King of Scotland, England, France, and Ireland: as it was acted and done at Scoone, the firſt day of Januarie 1651. Aberdene: Imprinted by James Brown,

[1] Balfour's *Works*, vol. iv. p. 119.

[2] Balfour ſtates that along with himſelf as Lyon King-at-Arms, the Earl of Lothian, Secretary, the King's Advocate, and ſix others, "were appointed, to conſult anent the ſetting down the Forme of the King's Coronation" (vol. iv. p. 123).

[3] Baillie's *Letters and Journals*, vol. iii. p. 107.

1651." Among the noblemen's ſons who acted as train-bearers to the King, the Lord Newbattle and another ſon of the Earl of Lothian are mentioned.

Meanwhile Cromwell overran the Weſt of Scotland, and took poſſeſſion of Glaſgow, without encountering much oppoſition, and for ſome months continued watching the Scottiſh Army, which had encamped near Stirling.

The contentions of the two oppoſing parties of Reſolutioners and Proteſters proved of no ſmall advantage to Cromwell, who gave miniſters and people all due liberty. "As for our preſent ſtate (ſays Baillie), ſo many and groſſe faults wes preſſed againſt Argyle, the Chancellour, Louthian, Balcarras, and others, that in all reaſon they behooved to be laid aſide, and our State modelled of new; ſoe that no active nobleman ſhould have had any hand therein."[1]

In the Parliament held at Perth in March 1651, on the 26th of the month, *Domino Rege preſente*, Sir James Balfour records that a debate had taken place regarding the Commiſſion to be given to the Committee of the Army and the perſons to be employed. After a debate of four hours, without any concluſion, the Lord Chancellor, Loudoun, gave in a diſſent to all that was debated and not clearly accorded to, by the commiſſion of the General Aſſembly. In this diſſent he was ſupported by Argyll, Caſſillis, Lothian, and nine others; and Balfour adds, that while the diſſent was ordered not to be recorded, "the King's Majeſty ſpoke much, and inſiſted verey far for taking in the other quarter; all ſpoke in ſo plain terms to the underſtanding of the whole houſe, ſo that the Campbells faction, and the Hamiltons, was clearly underſtood of all. And the Lord Chancellor and the Secretary, Lothian, did check the King much for his inconſtancy (as they called it) in deſerting his beſt friends that brought him to this country, put the crown on his head, and now, as it ſeemed, adhered to theſe that had done his Father the worſt offices

[1] Baillie's *Letters and Journals*, vol. iii. p. 119.

that ſubjects could doe to a prince, contrair his own words, promiſes, wreatt, oaths and declarations, both private and public."[1]

It was finally refolved by the King and his advifers, after much debate, to march into England, and on July 31 the Scottiſh Army, under the command of William, Duke of Hamilton, who, chiefly on account of his rank, had been appointed general, "marched from Stirling on the way to Carliſle. The King left behind him the Earl of Crawfurd, Balcarras, with old General Leſlie (the Earl of Leven), and ſome others, to raiſe the North, and other forces, for the defence of the Kingdom."[2]

Cromwell, on receiving intelligence of this unexpected ſtep, immediately followed the Scottiſh Army into England, but they had proceeded as far as Worceſter before he overtook them. Here they ſuffered a ſignal defeat, September 3, 1651. Cromwell admits that it was a hard conteſted battle; "indeed (he ſays) it was a ſtiff buſineſs—a very glorious mercy—as ſtiff a conteſt as I have ever ſeen." Writing to Parliament, Cromwell further adds, "The dimenſions of this mercy are above my thoughts. It is, for aught I know, a crowning mercy." It may be conſidered, indeed, as the laſt attempt of the Royaliſts, and proved fatal to the Government of Scotland.

The King himſelf made his eſcape, and after many adventures, reached France about the end of October, to paſs for ſome years an inglorious career. Lord Hailes publiſhed an intereſting "Account of the Preſervation of King Charles II. after the Battle of Worceſter, drawn up by himſelf, to which are added his Letters to ſeveral perſons."[3] Among the priſoners taken at the battle were William, Duke of Hamilton (who ſoon after died of his wounds), the Earls of Rothes, Kellie, and Lauderdale, with "many officers of great quality, and ſome that will be fit ſubjects for your juſtice." General Leſlie and Lieut.-General Middleton, who had eſcaped with the horſe, were intercepted in Lancaſhire, and

[1] *Balfour*, vol. iv. p. 275. [2] *Life of Robert Blair*, p. 279. [3] Glaſgow, 1766, 8vo.

carried priſoners to Cheſter, and, with the others, committed to the Tower in London. "Next day, September 12, the common priſoners (being driven like a herd of ſwine) were brought through Weſtminſter into Tuthillfields (a ſadder ſpectacle was never ſeen, except the miſerable place of their defeat), and there ſold to ſeveral merchants, and ſent to the Barbadoes; the colours taken were likewiſe hanged up in Weſtminſter-Hall, with thoſe taken before at Preſton and Dunbar."[1]

Cromwell had left General Monk behind him in Scotland with a force of 5000 men, and the reduction of that Kingdom was ſpeedily accompliſhed. The Caſtle of Stirling having been left in the charge of a body of Highlanders, unaccuſtomed to a ſiege, they retired to their own diſtricts, laden with plunder, leaving no alternative to the Commander than to capitulate, Auguſt 14. At Dundee there was a more formidable but unſucceſsful reſiſtance; and the Eſtates of Parliament having convened, at Eliot or Alyth, in Forfarſhire, to concert meaſures for the relief of the former town, were themſelves ſurpriſed and taken priſoners. Balfour ſtates "they were betrayed to the Engliſh and ſurpriſed by 500 horſe . . ſtripped of all they had, and carried to Broughty (at the mouth of the Tay), and there ſhipped off for England. Being landed at Tynemouth Caſtle, they were from thence brought to London. Among the priſoners were the Earls of Leven, Craufurd, and Mariſhall, with other perſons of note, and ſeveral of the clergy." This haſtened the ſiege of Dundee, which was taken by General Monk on the 1ſt of September, with great ſlaughter.[2] The ſubſequent attempts of the Earl of Glencairn, in the Highlands were alike unſucceſsful.

In the preſent ſeries of letters will be found an important paper addreſſed by the Earl of Lothian to Charles the Second, Auguſt 6, 1660,[3] in Vindication of his conduct, when ſoliciting his continuance in

[1] Heath's *Chronicle*, Part ii. Lond. 1664, p. 553.

[2] Balfour's *Annals*, vol. iv. pp. 314, 315.

[3] We are indebted to the accurate refearches of Mr. Andrew Gillman, Solicitor, London, for pointing out and tranſcribing this intereſting letter to the King, Auguſt 9, 1660, which is printed at p. 431.

the office of Secretary. It furniſhes various particulars in regard to Lord Lothian's perſonal hiſtory during the time of the Commonwealth. He explains how he was prevented accompanying or attending the Duke of Hamilton to England in 1651, and ſtates how he had a "bark in readineſs" to have joined the King but for the defeat at Worceſter; and when no longer called upon to exerciſe the office of Secretary, that he retired to his own houſe at Newbattle. Here, he ſays, from its proximity to Dalkeith, the head-quarters of the Engliſh, he was, "for two years expoſed to great ſuffering and ruin; yet he never diſclaimed the King, never accepted office or employment, never paſſed any writs under the Seal, but preſerved his Majeſtie's Signet until he was enabled to offer his reſignation to the King." This Vindication is written in a clear ſtraightforward manner, although it may ſeem rather obſequious in the frequent references of profeſſed attachment "to his Majeſty, his bleſſed Father, and the Royal Family."

The Laird of Brodie, however, in his Diary, ſays, Auguſt 31, 1655, "The M. [of Argyll] told me of the E. Lothian and Dyfart their tampering with the Protector, and inclinations to take employment. I deſire to conſider and feare before the Lord, and to examine my own heart!" etc.[1]

Again, September 8—"I cam to Edinburgh this night. By another letter from the E. of Lothian, I thoght that he diſpenſ'd with my coming, etc. 11.—I was enclind to goe to London: 1. Becaus it was informd and apparent that Lothian would deal perchance for himſelf, and not for others. 2. He had many things of his own to clogg him," etc.[2]

Brodie, in reference to himſelf, May 23, 1653, had previouſly recorded, "I have reſolved and determined, in the Lord's ſtrength, to eſchew and avoid employment under Cromwell. I ſay, 'Tis in the Lord's ſtrength"—being fully aware of his "own unſtedfaſtneſs."[3] He accord-

[1] The *Diary*, etc. (Spalding Club), 1863, p. 150. [2] *Ibid.* p. 153. [3] *Ibid.* p. 41.

ingly refiſted any requeſts made to him, to accept of office, until after Cromwell's death, when he reſumed his ſeat on the Bench, December 1658, and was one of the Engliſh Judges who were ſuperſeded after the Reſtoration. The Earl of Lothian, however, ſeems to have reſided almoſt conſtantly at Newbattle during the whole time of the Commonwealth, except from June 1655 to May 1656, when he was in London vainly endeavouring to obtain a ſettlement of his claims for penſions or for money advanced, or due upon bonds granted by himſelf and his colleagues, on public credit.

Amidſt theſe troubles, the Earl of Lothian had ſent his two eldeſt ſons abroad to complete their education under the charge of Mr. Michael Young,[1] as their tutor or governor. Many of his letters are preſerved at Newbattle, but they are not of ſufficient importance to be printed in the preſent collection. From theſe we learn that Annabella, Dowager Counteſs of Lothian, had died at Antwerp in the year 1652. On May 24, 1652, Young writes, "Lady Jean will be content (as I wrote before) of what your Lordſhip will appoint for her. I ſpeake only afarre off. So ſhe did not condeſcend to anything more particular." This Lady Jane Kerr was the youngeſt daughter of Robert, ſecond Earl, and conſequently ſiſter to the Counteſs of Lothian. Mr. Young with his two pupils alſo paid a viſit to their grandfather, the Earl of Ancram, at Amſterdam,[2] as already noticed, twelve months previous to his death, which took place in December 1654. His latter days (it has been alleged) "were embittered by the reflection that his favourite ſon, the Earl of Lothian, had been in direct oppoſition to the King, during the firſt years, at leaſt, of his perſecution."[3] A later writer mentions the Earl of Ancram as one "whoſe incomparable loyalty, and whoſe elegant literary taſte, rendered

[1] See page 35. Young took his degree of A.M. at Edinburgh, July 15, 1641, and of M.D. at ſome foreign Univerſity. "Mr. Michael Young, Doctor of Medicine," died in October 1675. (*Reg. Confirmed Teſtaments*, Edinburgh, April 25, 1677.)

[2] See pages 379, 385.

[3] Douglas's *Peerage*, by Wood, vol. ii. p. 137.

him a conſpicuous ornament to his country, at a period when it unhappily poſſeſſed little of either;" and adds, reſpecting the Earl of Lothian, that while "the chief care of whoſe parents had been to fix in his mind, even from his cradle, an attachment to monarchical government, and an affectionate veneration towards the perſon of the reigning King," he yet "became, by a ſtrange perverſeneſs, perhaps the moſt ſincere and bitter enemy among his countrymen to both. In this double rebellion, however, againſt his father and his prince, he had the merit at leaſt of conſiſtency, for his fidelity to the cauſe which he had eſpouſed was invariable, and even unſuſpected, and his motives wholly diſintereſted.[1] It was natural that Lord Ancram, all his life being attached to the Court, ſhould feel regret that his eldeſt ſon adopted a different courſe, while his intereſt ſeemed to point in the oppoſite direction. But the Earl of Lothian's letters to his father are remarkable in breathing the utmoſt filial reſpect and affection, and clearly ſhow how unfounded is the ſtatement of his hoſtility to "monarchical government" or "the perſon of the reigning king." Lord Ancram's letters are not leſs affectionate, while they manifeſt that to ſome extent his ſympathies were with the party to which his ſon adhered.

The Reſtoration of Charles the Second, and his triumphal entry into London in Auguſt 1660, made great changes in all parts of his dominions. The Earl of Lothian, like many others, proceeded to the Engliſh Court. He had an interview with the King, and preſented to him the Vindication alluded to. The King, we are told, heard him patiently and favourably, while accepting his reſignation, and promiſed "to do him good things." The only immediate benefit he ſeems to have received was confirming the appointment of his ſecond ſon as Director of Chancery in Scotland, by patent, February 27, 1661.[2] Sir George Mackenzie, however, ſtates that on his

[1] Lodge's *Portraits of the Illuſtrious Perſonages of Great Britain.*

[2] *Acts of Parliament*, vol. vii. p. 44.

reſignation as Secretary, he received the grant of a penſion of £1000;[1] but the letter of his brother Charles, Earl of Ancram, December 1663, renders it more than doubtful if Lord Lothian ever received any part of ſuch penſion. When he ſpoke to Lord Rothes, concerning it (Lord Ancram ſays), "hee has told mee freely, that there are more penſions and giſts then there is a revenew, ſo that hee muſt acquaint the King with it, and receive his directions what muſt be done; ſo that your concerne will bee to addreſs to his Majeſty, for no doubt but divers of the penſions will be ſuſpended."

The Marqueſs of Argyll was not ſo fortunate. He, too, proceeded to London to welcome Charles, but was not even admitted into his preſence, but committed priſoner to the Tower, and there detained until ſent down to Scotland. He was tried, on May 25, and being condemned for high treaſon, his ſentence was, that his head be ſevered from his body, at the Croſs of Edinburgh, on Monday, July 27, 1661, and "affixed in the ſame place where the Marqueſs of Montroſe's head was formerly." The Earl of Lothian, and his eldeſt ſon, who was married to a daughter of Argyll, along with many other friends, accompanied the Marqueſs to the ſcaffold; and Lord Kerr, in a letter to his wife, deſcribes the demeanour of the Marqueſs as "heavenly, chriſtian, grave yet magnanimous and reſolute; truly (he adds), I was ever a lover of your Father, but this laſt action of his hath made me an admirer lykewayes, and I am ſure his behaviour this day hath galled very many of his enemies."

The Parliament having appointed the Lords of the Articles, they, in order to ſave the King's honour from the oaths he had ſworn for the obſervance of the Solemn League and Covenant, reſolved that it be annulled; and a General Act Reſciſſory was paſſed, May 28, 1661, reſcinding and annulling the whole Proceedings of "the pretended Parliaments, from the commencement of the Civil War, as illegal,

[1] *Memoirs of the Affaris of Scotland*, p. 8.

injurious to his Majeſty and his authority, and diſhonourable to the Kingdom;" (and ſo) "prejudicial and are unfit to be any longer upon Record." In the Second Seſſion of that Parliament, came in due courſe an "Act for the Reſtitution and Re-eſtabliſhment of the Antient Government of the Church by Archbiſhops and Biſhops," May 27, 1662. The ſame Parliament paſſed an Act containing the following Declaration, which all perſons in public truſt were required to ſubſcribe :—

"I Do ſincerely affirm and declare, that I judge it unlawful for ſubjects, under pretext of reformation, or any other pretext whatſoever, to enter into Leagues and covenants, or to take up arms againſt the King, or thoſe commiſſioned by him, and all thoſe gatherings, petitions, etc., that were uſed in the beginning and carrying on of the late troubles, were unlawful and ſeditious. And particularly that theſe oaths, wherof the one was commonly called the National Covenant, were and are in themſelves unlawful oaths; and that there lieth no obligation upon me, or any of the ſubjects from the ſaid oaths, to endeavour any alteration of the government in Church or State, as it is now eſtabliſhed by the laws of the Kingdom."

The Earl of Lothian's friend the Laird of Brodie, in his Diary, July 29, ſays, "My nephew writ to me, there was much din about an oath which I gave to the Engliſh. Lord! thou knows I am frie of this. I heard Louthean, Craufurd, and others, refuſed the Abjuration. I deſir to look up to God that it never may repent them of this."

This Act became a fruitful ſource of perſecution. The Parliament impoſed heavy fines upon all who refuſed to ſubſcribe,[1] including the Earl of Lothian, who, but for the protection of powerful friends at Court, might have fallen a ſacrifice to the malice of his enemies.

Charles, Earl of Ancram, uſed the influence which he poſſeſſed from his relationſhip to the family of the Earl of Derby, in behalf of

[1] In the Appendix to Wodrow's Hiſtory, vol. i. No. xxxiii., is given a liſt of the fines impoſed by Middleton by authority of Parliament in 1662. The firſt in the liſt is the Earl of Lothian, £6000. There are ſeveral others of the ſame amount, but only four of larger ſums.—*Summa totalis*, £1,017,353 : 6 : 8 (Scots money).

his brother; and in a letter, dated London, December 13, 1663, he writes as follows :—

" Deare Brother, I am very ſory that your affaires in the Parliament have no better ſucceſs ; yet my Lord Treaſurer did proteſt that hee did all that lay in his power, but I have underſtood ſince that all the Lords of the Artickles were againe you except the Commiſſioner and my Lord Lauderdaille, who banded for you as long as they could poſſible, till they were cryed doune by all the reſt, and that it was thoſe two Lords only who were the cauſe of your having a yeare's time given you to compoſe your buſineſs ; and I hope it may not be impoſſible but you may gett time from year to year till you ſettle it."

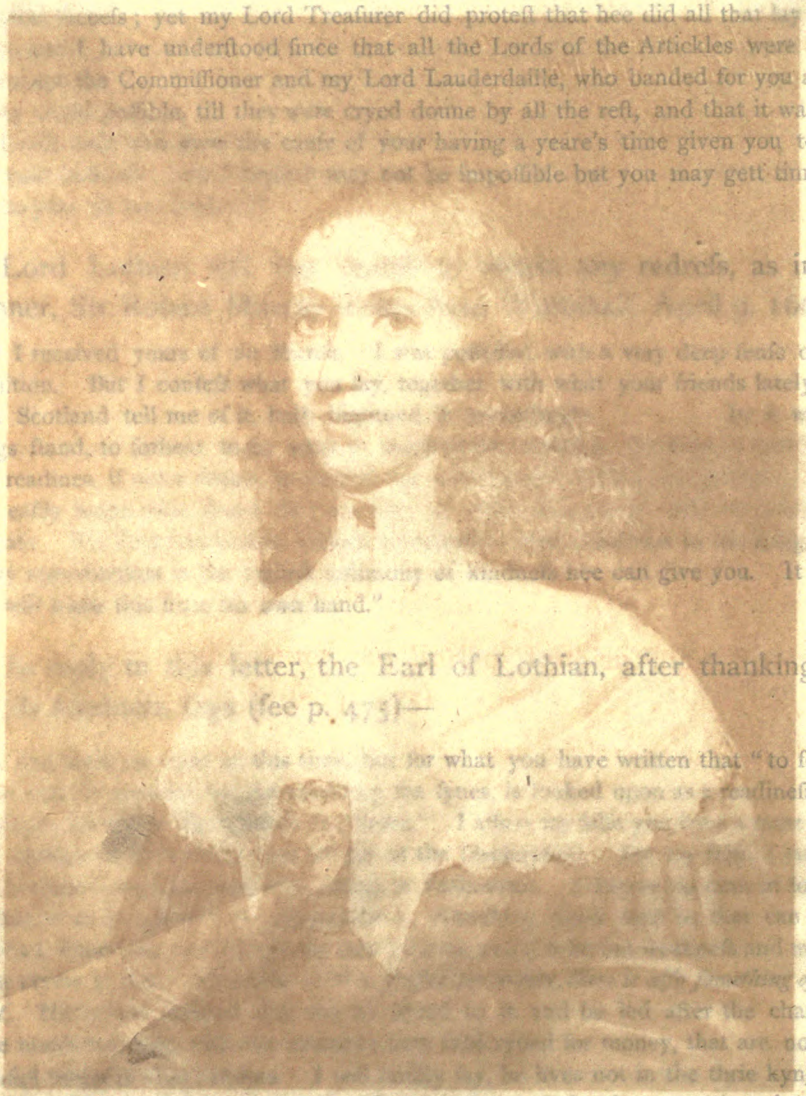
Lord Lothian ſtill was unable to obtain any redreſs, as in like manner, Sir Robert Murray writes from Whitehall, April 9, 1666 :—

" I received yours of 20 March. I was poſſeſſed with a very deep ſenſe of your condition. But I confeſs what you ſay, together with what your friends lately come from Scotland tell me of it, hath hightned it exceedingly. . . . In a word, as things ſtand, to forbear to do what is required for remitting the fines is look't upon as a readines, if not a deſign, to ſubvert the government of Church and State ; ſo you may eaſily judge what ſpeed they are lyke to come that would offer to interpoſe in the caſe. Yet Earl Lauderdale intends to repreſent your condition to the King, which to my apprehenſion is the higheſt teſtimony of kindneſs hee can give you. It is lyke you will learn this from his own hand."

In reply to this letter, the Earl of Lothian, after thanking him for his kindneſs, ſays (ſee p. 475)—

I had ſay'd no more at this time, but for what you have written that " to forbeare to do what is required for the remitting the ſynes, is looked upon as a readineſs, if not a deſigne, to ſubvert the Church and State." I aſſure my ſelfe you have a more charitable opinion of very many that ſcruple at the Declaration. For my ſelfe, I could not doe it when it excluded me from ſitting in Parliament. I knowe no man in love with trouble or to be clouded or incapacitated ; ſomething there muſt be that can not be digeſted, ſomething that ſtraightens men's ſpirits, and if it be but weakneſs and miſtakes, what cryme is that? and nowe, *as it is preſſed for money, there is alſo ſomething of credite in it.* He is lowe ſpirited that will be hyred to it, and be led after the chariott of ſome men's triumphs with the wretches hath ſubſcrybed for money, that are not more faithfull ſubjects then refuſors. I will boldly ſay, he lives not in the thrie kyngdomes loves the Royalty more, nor his Majeſtie's perſon, and that he may reigne in his full and high authority and power, than myſelfe. The Declaration is not the teſt of loyalty. Becauſe in a parliament, a man doth not vote to every thing propoſed, there-







ANNE, COUNTESS OF LOTHIAN

From the original at Newbattle Abbey.

fore he is diſloyall and diſaffected towards the King's ſervice, hath deſignes to overturne the government,—what a conſequence is this! The remedy would be many tymes worſe than the diſeaſe. "I will conclude this letter with ſaying *I can not pay the fyne, nor the Exchecquer dewes. I have but a meane portione reſerved in lyfe-rent for my lyvelyhood and the children gott upon my hand.* I have within theſe eight days married one of my daughters to a vaſſall of the Earl of Lauderdaill's, the young Laird of Smeeton. I hope my Lord will protect her that I be not disinabled to give her the meane portione apoynted her; but if, for all I have ſaid, *if I muſt be fyned or impriſſoned for it*, let it be the Caſtle not the Tolbooth, and change the priſon into baniſhment; for, ſoe my Wyfe and children be provyded, ſend me to the Barbadoes."

The fine of £6000 Scots, impoſed upon the Earl of Lothian, is repreſented by £500 ſterling. This may not be regarded as a very heavy ſum, yet the great ſcarcity of money in Scotland at this time, which appears from the Regiſters of Deeds of Confirmed Teſtaments, and other authentic writings, proves it to have been no inconſiderable amount.

In 1663, December 13, Brodie writes to the Earl of Lothian—"My Lord Ker, your Lordſhip's ſone was pleaſed the laſt week to call for me, and he did ſignifie to me that your Lordſhip was about ſome tranſaction with him, whereby he was to become my debtour for that little money, your Lordſhip reſtis me." This "tranſaction" evidently refers to an aſſignation of his whole eſtates which the Earl of Lothian eventually made in favour of his ſon Robert, Lord Kerr of Newbattle, Auguſt 5, 1665; and explains the words in the above letter reſpecting his having retained "a mean portion" of liferent in his eſtates. The difficulty which he experienced in paying the fines, and the danger of his eſtates being forfeited, as well as the trouble to which he was expoſed from his being one of the ſecurities for large ſums advanced for the public ſervice whilſt Charles II. was in Scotland, no doubt induced Lord Lothian to take this ſtep. But theſe pecuniary embarraſſments ſeem at laſt to have reſulted in what could not but have been a moſt painful ſacrifice—the loſs of his paternal eſtate of Ancram, after being in the poſſeſſion of his family for at leaſt 130 years.

No papers or deeds have been found which can explain the preciſe time, or in what terms, the transference of the property of Ancram actually took place. It was not by forfeiture, nor, as far as we know, by a formal ſale ; and it muſt have been ſubſequent to the year 1660, when Ancram Houſe was deſigned as the reſidence of Robert, Lord Kerr (who ſucceeded as fourth Earl of Lothian), upon his marriage with Lady Jane Campbell, daughter of the Marquefs of Argyll,[1] whilſt the earlieſt notice of any "Scott of Ancrum" occurs in the charter dated July 11, 1670, in favour of "Magiſter Joannes Scott," the anceſtor of the preſent proprietor. It is certain, however, that nothing but the moſt preſſing neceſſity could have induced the Earl of Lothian to part with the Eſtates and Houſe of Ancram,[2] from which his father's title was derived and which ſtill continues to be borne by the Lothian family.

On March 26, 1667, the Earl of Lothian ſuffered the greateſt loſs that could have befallen him, in the death of the Counteſs, after a brief illneſs. To the following liſt of their children, "her fadde and widdowed Huſband," a few days afterwards, ſubjoined a character of Lady Lothian, which breathes the ſame heartfelt attachment which ſhe herſelf in all her letters towards him ſo conſtantly expreſſed.

[1] Original Marriage-contract, (Lothian Papers at Newbattle).

[2] This beautiful place, in the pariſh of Ancrum, anciently Alnecrum, a few miles to the N.E. of Jedburgh, is ſituated on the ſouth ſide of the water of Ale, about half-a-mile from its junction with the Teviot. The ſtream itſelf is remarkable for the many curves or bends in its courſe, with caves or dwellings of the ancient Britons on the north bank of the river. To the eaſt of the town, the woods of Monteviot, one of the manſions of the Marquefs of Lothian, bound the proſpect. (*Hiſtory and Antiquities of Roxburghſhire*, by Alex. Jeffrey, vol. ii. p. 346.) The houſe or caſtle was built in 1558, by "Robert Kerr and Iſobel Home" (ſee plate of the ancient carved ſtone at Ancram Houſe, p. 51), with many ſubſequent alterations or additions. It is minutely deſcribed by the Earl of Ancram at p. 62, but was unfortunately deſtroyed by fire December 9, 1873.

THE NAMES AND TIMES OF THE BIRTHS OF THE CHILDREN OF WILLIAM, EARLE OF LOTHIAN, AND ANNE, COUNTESS OF LOTHIAN, HIS WYFE.

In the yeare 1631, the 26 November, Saterday, ANNE borne. Died 30 Auguſt 1658. [Married to Alexander Fraſer, Maſter of Saltoun.]

In the yeare 1633, the 6 September, Fryday, ELISABETH borne. [Married to John, Lord Borthwick, Auguſt 23, 1649.]

In the yeare 1635, the 13 January, Tewſday, JEANE borne. Died the . . . October 1636.

In the yeare 1636, the 8 March, Tewſday, ROBERT borne. [Afterwards Earl and Marquefs of Lothian.]

In the yeare 1637, the 6 October, Fryday, MARGARET borne. Died the . . March 1643.

In the yeare 1638, the 22 December, Saterday, WILLIAM borne. [Was knighted and appointed Director of Chancery.]

In the yeare 1640, the 28 March, Saterday, MARY borne. [Married to James Brodie of Brodie, July 28, 1659. She died in March 1708, having predeceaſed her husband only a few days.]

In the yeare 1642, the 17 July, Sunday, CHARLES borne. [Anceſtor of the Kerrs of Abbotrule.]

In the yeare 1645, the 7 March, Thurſday, HARRY borne. Died the 12 October 1648.

In the yeare 1646, the 26 June, Fryday, MARGARET borne. [Married to James Richardſon of Smeaton in 1666.]

In the yeare 1647, the 3 Auguſt, Teuſday, JOHN borne. [Died young.]

In the yeare 1649, the 24 Aprile, Teuſday, VERE borne. Died the 17 of Aprile 1674. [Married to Lord Neil Campbell, ſecond ſon of the Marquefs of Argyll, January 28, 1668.]

In the yeare 1653, the 2 February, Wedenſday, HENRIETTE borne. [Married to Sir Francis Scott of Thirlſtane in 1673.]

In the yeare 1654, the 29 July, Saterday, LILIAS borne. [Died unmarried.]

Anne, Countess of Lothian, the good and worthy mother off theſe children, ſickened and tooke bed the 20th of March, Wedenſday, 1667, and died upon the 26 off the ſame month, Teuſday: ane woman extraordinary

in all the qualifications of goodnes, vertue, modeſty, piety; a good wyſe, a good mother, a good woman; excellent in the government of her family and the ordering and provyding for it, and augmenting the eſtate of her houſe in the revenues of the lands, with the addition of wenning of coales by long labour and mutch charge and expenſes; and a greate inlarger of the Houſe of Newbattle, by faire newe buildings from the ground, and with much ornament and addition perſyting a begune worke, and beautiſying the entries and acceſſes by many walls, and inclofures, and plantations of trees of all kyndes: a woman honored and beloved ſingularly of her huſband, her children, friends, kindred, neighbours, vaſſals, tenants; affable and charitable to the poor, regraitted in her death by all, and of memory ſweate and fragrant: This is atteſted by her moſt ſadde and widdowed Husband,

LOTHIAN.

The 6 Aprile 1667.

His brother-in-law, Colonel Rich, having written a letter of condolence on the death of the Counteſs of Lothian, in reply, Lord Lothian ſays, July 18, 1667:—

"Your laſt was very ſeaſonable in the affliction I lye under, it is ſoe full of Chriſtian conſolation and love and goodwill to me, that I have received it as a providentiall mercy to me. I have had indead a greate loſſe, as mutch (as to the world) as could befall me. I have loſt'd ane excellent and verteous wyſe. . . . I ſtoope and lay my ſelfe lowe under His mighty hand, whoe doth every thing well, and can not doe but what is good and juſt and right in weight and meaſure. I doe ſee from the place I write this, and out att the windowe within two hundreth paces, the place where her earth reſts untill the Reſurrection. I bleſſe God for her glory and happines, and that ſhee is free from the calamaties and troubles of this miſerable lyfe, in this evill and worſte age of the world."

This letter preſents us with a very affecting picture, repreſenting the widowed Earl, within three weeks of his wife's death, ſeated at his library window, and looking out on the burial-place within the Abbey grounds, where her mortal remains were laid to reſt "till the Reſurrection." Yet, with a reſigned ſpirit, he adds, "I bleſſe God for her glory and happineſs, and that ſhee is free from the calamities and troubles of this miſerable life, in this evil and worſt age of the world."

The Earl of Lothian had other cauſes for ſaying that his lot had fallen on evil days. Beſides the fate of ſome of his deareſt

friends and relations, and his being disqualified from his seat in Parliament, he could not but feel deeply the changes that had taken place after the Restoration in matters connected with the Church as well as with the State. During Cromwell's few years' rule in Scotland with an iron hand, no interference was made with the forms of public worship peculiar to the Presbyterian Church. While under his government, the country may be said to have recovered much of its prosperity; commerce was encouraged, and justice was fairly administered by the English Judges. How much all these matters were changed through the ambition, the rapacity, and the insincerity, alike of Statesmen and of the new Prelates, is sufficiently known.

The Acts of Privy Council passed at Glasgow in October and December 1662, proved most oppressive and intolerant, causing nearly four hundred of the best and most useful of the clergy to resign their livings. They were ejected from their parishes, and their stipends being left unpaid, were in most instances without means to maintain their families, whilst at the same time the parishioners and others were prohibited, under severe penalties, from assisting them. Sixty years later, Wodrow industriously collected from the best sources of information, what appears, so far as it goes, a correct list of the Nonconforming Ministers to prelacy at this time. From this list a selection of the Presbyteries may be given to show the state to which the Church was reduced by the Court party and the Bishops, in the view of compelling the general adoption of Episcopal government.

Names of Presbyteries.	Nonconformist Ministers.	Conformists.
Edinburgh . .	19 . .	3
Dalkeith . .	7 . .	8
Linlithgow . .	11 . .	3
Glasgow . .	14 . .	3
Dumbarton . .	7 . .	6
Jedburgh . .	11 . .	5

Unless for the unfortunate disputes of the Resolutioners and Protesters, all the attempts of Middleton, Lauderdale, and Sharp, and their "faithless" supporters, might not have succeeded in forcing

Epiſcopacy upon the people of Scotland. Charles the Second, at leaſt, although deteſting the Covenants, was not actuated by any rooted determination, at all hazards, to enforce Prelacy, which proved his Father's ruin, and which drove his ſucceſſor, by his adherence to Popery, from the Britiſh throne.

From this time (1667), during the Earl of Lothian's latter years, there are but few of his letters preſerved, and little or no information reſpecting him to be diſcovered. Although theſe years were to him ſo much overſhadowed, we can have no difficulty in ſuppoſing that his days were paſſed in the peaceable diſcharge of the ordinary duties of life, and in ſtudious retirement among his books, of which, notwithſtanding his buſy life, he had collected, as we learn from his letters, a large number, deſigned for uſe, and not as mere articles of furniture. Theſe, and an extenſive ſeries of Hiſtorical Portraits, yet remain to teſtify his learning and taſte. He eſcaped at leaſt the heavier afflictions of actual perſecution, not having ſurvived to witneſs the ſcenes of bloodſhed and ſuffering which forced ſo many of his poor countrymen into open, yet unavailing inſurrection, and numbers of whom were either condemned to the gallows in the Graſsmarket, or tranſported like ſlaves to the American colonies. We may, however, be not leſs aſſured that the ſame faith, and hope, and love, which animated him through life, continued at its cloſe to cheer and ſuſtain him. He died at Newbattle in October 1675, and was laid in the family mauſoleum, which is ſo feelingly alluded to in the above extract.

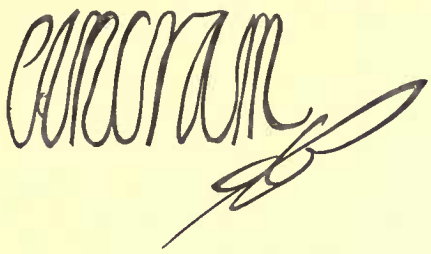
The following letter from Charles, Earl of Ancram, to Robert, Earl of Lothian, while it confirms the date of his brother's death, furniſhes ſome particulars regarding himſelf. There is little doubt the ſon mentioned in it died ſoon after, he himſelf having ſurvived till 1690.[1]

[1] The date is aſcertained by a letter from Lady Vere Wilkinſon. In writing from Hatton Gardens, September 11, 1690, acquainting the Earl of Lothian with the death of her brother, Charles, Earl of Ancram, ſhe ſays "his misfortunes broke his heart;" and adds, "My requeſt to your Lordſhip is only that you would ſhew ſo much regard to the memory of ſo near a relation as to contribute to the charges of the funeral and two apothecarys' charges, that furniſhed him with what the phyſicians appointed."

PALL MALL, February 5, 1675-6.

DEARE NEPHEW, Since I writt my laſt I have been a ſtranger to this place, my Wife having been detayned in the country with her Son, who was ſick like to dye; and ſince our return I have kept my bed near three weekes, by a hurt in my ſide in a coach, but now being on my legs again I cannot omit once more to aſſure you of the deſire I have to ſerve you, as well as the great ſatisfactione it is to me that ſince it has pleaſed God to take to himſelf your moſt worthy Father and my dear Brother, he has yet left a Sonne, who not only heirs his eſtate, but likewiſe inherits his virtues, which cannot but be to myſelf, as well as to all our name and family, a matter of great rejoicing and comfort . . . —Your Lordſhip's moſt affectionate Uncle and moſt humble ſervant,

(Endorſed:) For the Earl of Lothian.



In forming a juſt eſtimate of the Earl of Lothian's character, it is fortunate ſo many important letters, now printed for the firſt time, ſhould have been preſerved. They prove him to have been no raſh enthuſiaſt or fanatical partiſan, as is frequently alleged againſt the Covenanters, but one who, having calmly made up his mind as to the right courſe, purſued it, without deviation, to the end. As one of the Scottiſh nobles, he thus took an active ſhare in oppoſing the ill-adviſed and ruinous policy of Charles the Firſt, when he ſought to introduce innovations into the government of Church and State. In doing ſo, however, it is abundantly proved that to the *perſon* or *office* of the King he had no hoſtility, but in that reſpect was as devoted as the moſt loyal Cavalier. His frequent employment in the management of important matters of negotiation bears teſtimony to the high ſenſe entertained of his qualifications by the Eſtates of Parliament. His conduct never diſplayed any indeciſion, but a conſiſtent, ſincere, and honourable adherence to the principles of the Covenanted Religion which he profeſſed, refuſing to abjure the oaths he had taken, in order

to obtain either royal favour or exemption from fines and imprifonment. The words of the great Engliſh poet—

> So ſpake the Seraph Abdiel, faithful found
> Among the faithleſs, *faithful only he*,

may not indeed be applicable excluſively to the Earl of Lothian, ſince others of the nobility were equally ſufferers, both perſonally and in the impoveriſhment of their families, yet, in ſumming up his character, we may continue the lines of Milton, and ſay truly of him—

> Among innumerable falſe, unmov'd,
> Unſhaken, unfeduc'd, unterrify'd,
> His loyalty he kept, his love, his zeal;
> Nor number, nor example, with him wrought
> To fwerve from truth, or change his conſtant mind,
> Though ſingle.

D. L.



MONOGRAM AT NEWBATTLE ABBEY OF WILLIAM AND ANNE KERR, EARL AND COUNTESS OF LOTHIAN.

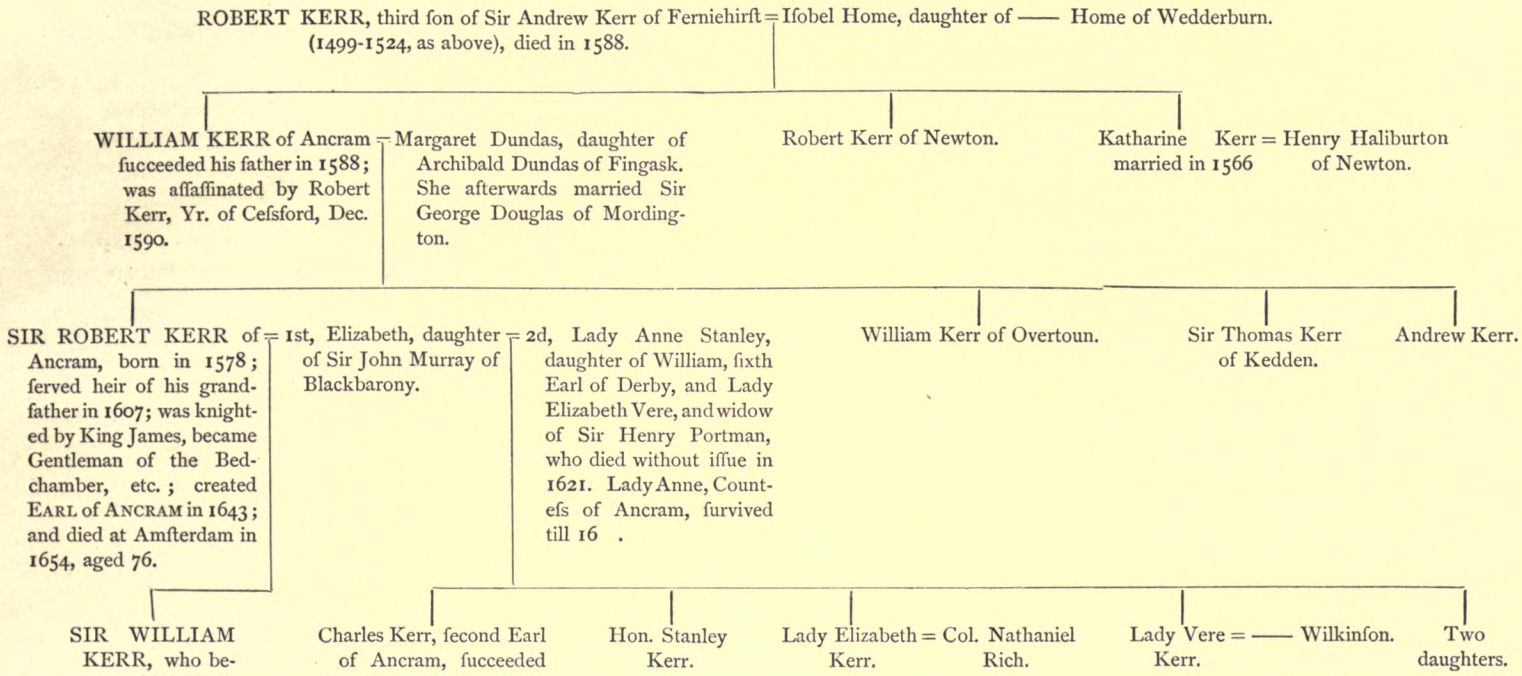
GENEALOGICAL TABLES.

No. I.—KERR OF FERNIEHIRST.

THOMAS KERR, eighth in defcent from Ralph Kerr of Kerfhaugh, 1330–1350; built a houfe in Jedburgh Foreft, which he called Ferniehirft, and was defignated by that title in the Parliamentary Records, 1746. He died in 1499. = Catherine, daughter of Sir Robert Colville of Ochiltree.

- SIR ANDREW KERR of Ferniehirft, Warden of the Middle Marches, died 1524. = Janet Home, daughter of Sir Patrick Home of Polwarth.
 - Thomas Kerr, died during his father's life, without iffue.
 - SIR JOHN KERR of Ferniehirft, Warden of the Middle Marches, fuc. 1524, knighted in 1548, died 1559. = Catherine Kerr, daughter of Sir Andrew Kerr of Ceffford.
 - SIR THOMAS KERR of Ferniehirft, fucceeded 1559, died 1586; Warden of the Marches, and Provoft of Edinburgh and Jedburgh. = 1st, in 1561, Janet, daughter of Sir William Kirkaldy of Grange.
 - SIR ANDREW KERR of Ferniehirft, 1586; created LORD JEDBURGH 2d Feb. 1622; died 1631, without furviving iffue. = Anne Stewart daughter of Andrew, Maſter of Ochiltree.
 - Sir Andrew Kerr, Maſter of Jedburgh, Captain of the King's Guard, and an extraordinary Lord of Seſſion, married Lady Margaret Kerr, third daughter of Mark, firſt Earl of Lothian, and relict of James, feventh Lord Hay of Yeſter. He died without iffue during his father's life, 20th December 1628.
 - A daughter married to Macdowall of Garthland.
 - Janet = 1st, Sir Patrick Home of Polwarth; 2d, Thomas, firſt Earl of Haddington.
 - Margaret = Robert, fecond Lord Melville of Monymail.
 - SIR JAMES KERR of Crailing, fucceeded to the title of LORD JEDBURGH in 1631. He died in 1645. = Mary Rutherford, heireſs of Hundallie.
 - ROBERT, THIRD LORD JEDBURGH, died 4th Auguſt 1692, without iffue; after which the title devolved on William, eldeſt fon of Robert, fourth Earl of Lothian. = Chriſtian, daughter of Sir Alexander Hamilton of Innerwick, and relict of Sir Patrick Hume of Polwarth.
 - Hon. —— Kerr = John Kerr of Weſtniſbet.
 - Thomas Kerr of Oxenham was knighted and made Captain of the King's Guard.
 - Sir Robert Kerr became Treaſurer of Scotland in 1611, and created Viſcount Rocheſter in 1611, and Earl of Somerſet, 16 . He died 1645. He married Lady Frances Howard, Countefs of Eſſex. She died in 1632, he in 1645, leaving an only daughter, Lady Anna, wife of William, Earl of Bedford.
 - Anne = John, Lord Balmerinoch.
 - 2dly in 1569, Janet, ſiſter of Sir Walter Scott of Buccleuch.
 - Andrew Kerr of Nether Gogar.
 - William Kerr.
 - Margaret = William, fifth Lord Hay of Yeſter.
 - Robert Kerr of Ancram. (See No. II.)
 - Janet Kerr.
 - Iſobel Kerr = Sir Walter Kerr of Cefsford.
- Ralph Kerr, anceſtor of the Carres of Cavers.
- William Kerr.

No. II.—KERR OF ANCRAM.



No. III.—KERR OF NEWBATTLE AND LOTHIAN.

MARK KERR, ſecond ſon of Sir Andrew Kerr of Ceſsford, Commendator of Newbattle, joined the Reformers in 1560, retaining his title as Commendator. He was appointed one of the extraordinary Lords of Seſſion in 1569, and died at the Abbey 29th Auguſt 1584. = Lady Helen Leſley, ſecond daughter of George, fourth Earl of Rothes. She died 26th October 1594, leaving four ſons and one daughter.

Mark Kerr, his eldeſt ſon, had the lands of Newbattle converted into a barony in 1587. He was raiſed to the Peerage as Earl of Lothian 10th February 1606, and died in April 1609. = Dame Margaret Maxwell, daughter of John Lord Herries. She died 8th January 1617, leaving, beſides daughters, four ſons.

Robert Kerr, the eldeſt ſon, ſucceeded as ſecond Earl of Lothian, 1609. He died 15th July 1624. = Lady Annabella Campbell, ſecond daughter of Archibald, ſeventh Earl of Argyll. Died 1652, leaving two daughters.

Lady Anne Kerr, the eldeſt, who ſucceeded in her own right as Counteſs of Lothian. Her huſband had the title of Earl of Lothian conferred by ſpecial grant in 1631, on occaſion of his marriage. = Sir William Kerr, eldeſt ſon of Sir Robert Kerr of Ancram. (See No. II.)

SIR WILLIAM KERR, raiſed to the Peerage as third EARL of LOTHIAN, 24th June 1631. He ſurvived till 1675. = Anne, Counteſs of Lothian in her own right. Their family conſiſted of five ſons and nine daughters. (See Preface.)

Robert, the eldeſt ſon, ſucceeded as fourth Earl of Lothian in 1675, and Earl of Ancram on the demiſe of his brother in 1690 (ſee No. II.) He was created Marqueſs of Lothian, etc., 23d June 1701. He died 15th February 1703. = Lady Jane Campbell, ſecond daughter of Archibald, Marqueſs of Argyll. She died 31st July 1712, leaving a family conſiſting of five ſons and five daughters.

William, ſecond Marqueſs, K.T., the eldeſt ſon, ſucceeded in 1692, at the demiſe of his kinſman Robert Kerr, third Baron Jedburgh, to that barony (ſee No. I.), and thus had a ſeat in Parliament during his father's lifetime. He was a Major-General in the Army. Died 28th February 1722. = Lady Jane Campbell, his couſin-german, daughter of Archibald, Earl of Argyll. She died 1772, leaving one ſon and four daughters.

No. III.—KERR OF NEWBATTLE AND LOTHIAN—*Continued.*

William, third Marquefs, K.T., his only fon, voted in Parliament as Lord Jedburgh in 1712. He was appointed Lord Clerk-Regifter in 1729. Died 28th July 1767. = 1st, Margaret, daughter of Sir Thomas Nicolfon, Bart., of Kemnay, county of Aberdeen. She died 30th September 1759, leaving two fons and one daughter.
2d, Jean Janet, daughter of Lord Charles Kerr of Cramond, by whom he had no iffue. Died 26th December 1787.

William Henry, fourth Marquefs, K.T., the eldeft fon, a General in the Army, was preſent at the battles of Fontenoy and Culloden, where he commanded the cavalry. He died 12th April 1775. = Lady Caroline D'Arcy, only daughter of Robert, Earl of Holderneſſe, in 1735, and great-granddaughter of the Duke of Schomberg, who fell at the battle of the Boyne in 1690. She died in October 1778, leaving one fon and two daughters.

William John, fifth Marquefs, K.T., was alſo a General in the Army. Born 17th March 1737. He ſucceeded to the title in 1775, and died in 1815. = Elizabeth Forteſcue, only daughter of Chicheſter Forteſcue, Eſq., of Drommiſken, County Louth, and granddaughter of Richard Wellefley, first Lord Mornington, in 1763. She died in 1780, leaving four fons and five daughters.

William, fixth Marquefs, K.T., born 4th October 1763, was known during the greater part of his life as Earl of Ancram. He was Colonel of the Edinburgh Militia, and Lord Lieutenant of Midlothian and Roxburghſhire. He was enrolled amongſt the Peers of the United Kingdom, 17th July 1821, as Baron Ker of Kerſheugh, County Roxburgh. He died 27th April 1824. = 1st, Lady Henrietta Hobart, daughter of John, Earl of Buckinghamſhire, in 1793. She died in 1805, leaving three ſons and one daughter.
2d, Lady Harriet Montagu, daughter of Henry, third Duke of Buccleuch, in December 1806. She died 18th April 1833, leaving three ſons and five daughters.

John William Robert, ſeventh Marquefs, Lord Lieutenant of Roxburgh, and Colonel of the Edinburgh Militia, born 1794, ſucceeded 1824. Died 14th November 1841. = Lady Cecil Chetwynd Talbot, only daughter of Charles, Earl Talbot, by whom he had five ſons and two daughters.

William Schomberg Robert, eighth Marquefs, born in 1832, died 4th July 1870, ſuc- ceeded by his brother = Lady Conſtance Talbot, daughter of the Earl of Shrewſbury and Talbot.

SCHOMBERG HENRY, ſecond ſon, ninth and preſent MARQUESS of LOTHIAN, Lord Keeper of the Privy Seal of Scotland. = Lady Victoria Alexandrina Scott, eldeſt daughter of the Duke of Buccleuch and Queenſberry, K.G., 23d February 1865.

No. IV.—KERR OF CESSFORD.

SIR ANDREW KERR of Ceſsford, ſerved heir of his grandfather, 30th September 1511. Warden of the Middle Marches. Killed at Melroſe, 24th July 1526. = Agnes Crichton, daughter of Robert, Lord Crichton of Sanquhar.

- SIR WALTER KERR of Ceſſford, ſerved heir in 1528. Died 3d May 1581.
- Dame Iſobel Kerr (daughter of Sir Andrew Kerr of Ferniehirſt), died 18th June 1585.
- Mark Kerr, Commendator of Newbattle. (See No. III.)
- Andrew Kerr.
- Catharine Kerr = Sir John Kerr of Ferniehirſt.
- Margaret Kerr = Sir John Home of Coldingknowe.

Andrew Kerr, appearand of Ceſsford, died before his father, without iſſue.

WILLIAM KERR of Ceſsford, Warden of the Middle Marches. He died in February 1600. = Janet, daughter of Sir William Douglas of Drumlanrig.

ROBERT KERR, of Ceſsford, ſucceeded his father in 1600, and was raiſed to the Peerage as LORD ROXBURGHE in 1606, and as EARL OF ROXBURGHE in 1616. He ſurvived till January 1650, his only ſon having predeceaſed him in 1643, without leaving male iſſue.

THE CLAIM OF LORD KERR OF NEWBATTLE TO THE EARLDOM OF ROXBURGHE, 1658.

BY a reference to the preceding Tables it will be ſeen that Sir William Kerr, Earl of Lothian, was deſcended from the Ferniehirſt family, and Anne, Counteſs of Lothian, from the Kerrs of Ceſsford. During the Earl of Lothian's abſence in France in 1643, the death of the Earl of Roxburghe's (the head of the Ceſsford branch) eldeſt ſon, without heirs-male, ſeemed to preſent an opportunity whereby the two families might be permanently united. Accordingly, as has already been noticed, the Counteſs wrote to her father-in-law, the Earl of Ancram, on the 20th April 1643, propoſing that ſome friend might ſuggeſt to the Earl of Roxburghe the propriety of his ſettling the eſtate on her family, provided her ſon married a daughter of the deceaſed Lord Ker's, adding as a reaſon, that her father "gif he wer alyve, wer the narreſt air maill and of tallie to it," and "my ſonne's narreſt in bloode of any of the maill Kers." [1] This union, however, was not deſtined to take place, and it is poſſible that the remembrance of the feud between the families of Ferniehirſt and Ceſsford, in which the Earl of Ancram's father had been ſlain by the Earl of Roxburghe, then younger of Ceſsford, may have been one reaſon which prevented it. At all events, the Earl of Roxburghe obtained a new charter in 1646, whereby the title and eſtates were entailed on Sir William Drummond, fourth ſon of John, ſecond Earl of Perth, on condition that he married his couſin Jean, eldeſt daughter of the deceaſed Lord Kerr.

On the death of the Earl of Roxburghe in 1650, Sir William Drummond aſſumed the title and ſucceeded to the eſtates, although the marriage with his couſin was not completed till five years ſubſequently. But the Lothian family were not diſpoſed thus to allow the matter to drop, and accordingly, on the 13th September 1658, a claim to the Earldom of

[1] Letter from the Counteſs of Lothian to the Earl of Ancram, vol. i. p. 145.

Roxburghe was made by Robert, Lord Kerr of Newbattle, the eldeſt ſon of the Earl and Counteſs of Lothian. This Claim, which is printed in full at page 413, recounts the grounds on which it is made, ſtating among other reaſons that his Uncle, John Kerr, brother-german to his good-ſire, "who, without all controverſie, is heire-male," having no children of his own, had disponed to him "his right and ſucceſſion to the lands and living of Roxburgh, titles, honours, and dignities thereof, as heir to Robert, Earl of Roxburgh, and to Henrie Lord Kerr, his ſonne;" and concludes by demanding an inſpection of the Roxburghe charters. It is further added, "This is no wayes propounded to delay the buſineſs, for the ſaid Lord Kerr of Newbatle profeſſeth that all that can reſult upon the inſpection of the charter-cheſt in his favours, with all other debates and animoſities, ſhall be referred to the noble freends, at whoſe joynt arbitration he ſhall conſtantly abyde, being very deſireous that all debates and grounds of debates betwixt the two families may be removed, there being ſuch a mutuall intereſt in each other by blood and conſanguinity." A letter from the Earl of Roxburghe to the Earl of Calander, Nov. 15, 1658 (p. 417), ſeems to indicate that the queſtion had been debated before theſe "mutual friends," and muſt, of courſe, have been decided againſt Lord Kerr of Newbattle, in virtue of the new charter granted in 1646, but no charter could alter his claim to be the Repreſentative of the Ceſsford family.

In connexion with this ſubject, the following intereſting letter from Sir Walter Scott to William, ſixth Marquefs of Lothian, congratulating him on his creation as a Britiſh peer, in which he alludes to the ancient differences between the families, may be here printed.

MY DEAR LORD, I ſincerely wiſh you joy of the additional dignity which the King has in ſo flattering and gracious a manner conferred on a family in which I muſt always feel moſt deeply intereſted. Your Lordſhip may rely on my keeping counſel till the Gazette ſpeaks for itſelf.

Upon receiving your Lordſhip's letter, I immediately looked into a curious altercation which took place betwixt your Lordſhip's anceſtor and the Duke of Roxburghe's in 1661 in parliament. The Earl of Lothian's eldeſt ſon was then entitled Lord Ker, and this was challenged by Roxburghe, who ſaid that no one had a right to bear the family name as a title excepting the eldeſt ſon of the chief, and he produced a curious liſt of ennobled chiefs

to ſhow that their eldeſt ſons always bore the family name, and that thoſe of the ſame clan who roſe to nobility took for their ſecondary title ſome other. The Earl of Lothian denied, as he truly might, the chieftainſhip claimed by Roxburghe, and produced his patent in which the ſecond title is Lord Ker of Newbottle. The parliament ordered his eldeſt ſon's title in future to be Lord Newbottle. In this they ſeem to have done ſhort juſtice to Lord Lothian, for the Earl of Roxburghe produced no evidence to ſhow that he held the character of chief of the Kers under which he claimed the excluſive right to the title. But Lord Lothian's connection with Argyle and with the Covenanters during the earlier part of the civil war was not forgotten during the firſt year of the Reſtoration, and I ſuppoſe the vote was rather intended to mortify him than for any other purpoſe. I am very glad your Lordſhip has turned the flank of the Ceſsford family on this new occaſion, and aſſumed, as a Britiſh peer, the title, of which as a Scotch one, your family ſeem to have been ſummarily and unwarrantably deprived.

In regard to the ſpelling, I think Ker with one "r" ſeems to be the moſt ancient, and all through the diſcuſſion in 1661 the title is by both parties ſo ſpell'd. Undoubtedly, your Lordſhip's family name is in point of orthography one of the moſt flexible in Scotland, and has been ſpell'd at leaſt ſix or ſeven different ways.

Ever your Lordſhip's, very truly,

WALTER SCOTT.

EDINBURGH, 6th July [1821.]

In this letter Sir Walter evidently alludes to the diſpute for the chieftainſhip of the Kerrs, but it is clear from the preceding ſtatement that the Earl of Roxburghe conteſted the title of Lord Kerr, which belonged to the Lothian family, on account of their claim to be the repreſentative of the Ceſsford branch. It was not till 1692, on the demiſe of his kinſman, Lord Jedburgh, that the repreſentation of the Kerrs of Ferniehirſt, who had always claimed the chieftainſhip, devolved on Robert Kerr, fourth Earl and firſt Marqueſs of Lothian, who thus, in his own perſon, directly repreſented both families.

ROBERT LEIGHTON, A.M., AND THE PARISH CHURCH OF NEWBATTLE.

A FEW words may be here added regarding the pariſh church of Newbattle and its Miniſters, of which the Earl of Lothian was patron, and of which he was a member. The church, previous to the Reformation, belonged to the Abbey, founded 1140. In 1615 John Aird, as miniſter, was preſented by Robert, Earl of Lothian. He ſigned the Proteſtation for the liberties of the Kirk in June 1617, and was reckoned "eminent for grace and gifts of faithfulneſs and ſucceſs." In his laſt will he "intreats the Earl of Lothiane, of quhais kyndnes and gudwill I have grite aſſurance, to countenance and aſſiſt my wyff and childrene in their honeſt effaires."[1] He died 9th July 1638, aged about 54, and was ſucceeded by Mr. Andrew Cant. The National Covenant was again ſubſcribed by the Presbytery of Dalkeith, and alſo by the miniſter of Newbattle, the Earls of Lothian and Dalhouſie, and other heritors and pariſhioners, in Auguſt 1639. This celebrated divine was tranſlated to Aberdeen in 1641. To ſupply the vacancy in the pariſh, the Earl of Lothian gave a preſentation to Robert Leighton, who was admitted in December 1641. The miniſtry of ſuch a man adds no ſmall intereſt to a pariſh in which he laboured for many years with great earneſtneſs and ſucceſs. It is to be regretted we have no view of the old church, which was pulled down when the preſent one was built in 1727; but Leighton's pulpit was preſerved, and part of the old manſe ſtill remains. The preſent miniſter of Newbattle, the Rev. Thomas Gordon, D.D., communicated to the Society of Antiquaries of Scotland[2] a ſeries of extracts from the Presbytery Records of Dalkeith, which furniſh a number of minute and intereſting particulars regarding the pariſh during Leighton's incumbency (1641-1653).

Leighton was born in the year 1611, and was educated at Edinburgh, where he took his degree of A.M. in July 1631. His father, Dr. Alex-

[1] Further details, and the ſucceſſion of the miniſters of the pariſh after the Reſtoration, are given in Rev. H. Scott's *Faſti Eccleſiæ Scoticanæ*, vol. i. p. 293.

[2] *Proceedings* of the Society, vol. iv. p. 459.

ander Leighton, who had ſtudied and practiſed in medicine, in his great zeal againſt Epiſcopacy and the innovations brought into the Church by Biſhop Laud, had publiſhed two works anonymouſly, which excited great indignation againſt the author. The firſt was *The Looking-glaſſe of the Holy War*, 1624; the other *An Appeal to the Parliament; or, Zion's Plea againſt the Prelacy* (1628). He was arreſted, tried, and impriſoned for the latter work, and, for upwards of ten years, was treated by Laud with the moſt inhuman barbarity. He ſent Robert, his eldeſt ſon, abroad, after leaving Edinburgh, to complete his education. He ſpent ſome years in France, where he acquired a familiar knowledge of the language, and must have returned previouſly to April 30, 1639, as at that time ſome of the Covenanters having reſolved to apply for aid to the King of France, William Colville ſuggeſted that the propoſed letter and ſecret articles should be ſubmitted for reviſion, both on account of the language and ſtrain of the letter, "to my Lord Lothian's and Mr. Robert Leighton's better judgments and better experience." When he returned to Scotland he paſſed the ordinary trials, and was licenſed as a preacher by the Presbytery of Edinburgh, and admitted Miniſter of Newbattle in December 1641. In 1651 he declared himſelf in favour of the Engagement for the King, which has already been alluded to as oppoſed by Argyll and the chief Presbyterians, including the Earl of Lothian, through whoſe influence he eſcaped from the penalties to which he otherwiſe might have been ſubjected.

The ſtrictneſs of Presbyterian diſcipline, and the diviſions in the Church, ſeem to have confirmed Leighton, after his father's death, in the wiſh to retire to private life. When his caſe was finally brought before the Presbytery of Dalkeith, February 3, 1653, he aſſigned as the reaſons of his "deſire to be lowſed from his miniſtrie at the kirk at Newbotle" both on account of "the gritnes of the congregatione, ſarre exceeding his ſtrength for diſcharging the dewties thereof, eſpecially the extreme weakneſs of his voice not being able to reache the halfe of them when they are convened, which hes long preſſed him very ſore, as he had formerly often expreſſed to us. And to give ane anſwer to the Commiſſioner from the Councell of Edinburgh, anent his call from them to be Principall of Edinburgh Colledge, that he may be releaſed from his miniſtrie ther, to that effect." Having been elected Principal of the Univerſity of Edinburgh, January 17, 1653, he accepted, February 8, and was admitted to the vacant office, to the advantage both of himſelf and the Univerſity.

The high eſtimation in which Leighton was held by the Earl of Lothian, alike creditable to both, is ſo feelingly expreſſed in his letter to the Counteſs, December 9, as to deſerve ſpecial notice :—

"You have amaſed me with what you wrote concerning Mr. Leighton. . . . I have not now leaſure to write to him, but I will once this night; in the meane tyme, I pray, doe you againe ſpeake to him, and intreate that, whatſoever his reſolutions be, that he would not this winter quite us, or att leaſt not do ſo ſodainly and abruptly, and if he will not ſtay in his miniſtry, and preach more to us (which wilbe a greate grieffe to me, for never did I gett ſoe mutch good by any that ſtoode in a pulpit), but is as you write to retyre to a corner untill the ſpring that he goe to Ingland, deſire him that that corner may be your houſe, which may be as quiet to him as a Monaſtery or a wilderneſs. He ſhall not be deſired neither to pray, nor ſoe much as to ſay grace to us" (p. 373).

In the letters of Mr. Young, tutor to the two eldeſt ſons of the Earl of Lothian, he ſays, in one written from "Leyden, Sept. $\frac{1}{2}^2$, 1653—Laſt week wee had a viſit which was very unexpected from Mr. Leightoun. I belieue he is gone, ere this, from this country, homewards."

The ſtatement in "A paper of Colonel Bamfylde's. The condition and deſignements of the titular King of Scots, and of thoſe abroade, who are intereſted in his affayres," anno 1654, Auguſt, is much leſs intelligible.

"My Lord Lothian held a correſpondence, ſent in Auguſt twelve month the Miniſter of Newbottle (the place where he lives) to the King. He came over in the habit of the ſoldier; his name is Layton: I ſawe him both at Antwerpe and Paris."[1] The probability is the perſon referred to was his younger brother, Sir Ellis Leighton.[2] Even if Leighton had remained connected with Newbattle, and with the Lothian family, we cannot eaſily conceive of him acting as a political agent and aſſuming the

[1] Thurloe's *State Papers*, vol. ii. p. 513.

[2] 1647, Auguſt 18—"Mr. Nichols was this day brought to the General; and alſo Colonel Ellis Leighton, who was alſo taken into cuſtody at Kingſton, upon information he was one that took up a Commiſſion in London for the raiſing of forces to engage the Kingdom in a new war, and remains under reſtraint.

Auguſt 28—"Colonel Leighton, priſoner to the Army is not ſhot, or adjudged to be ſhot to death by the Council of War, as ſome haue reported, but is committed priſoner, by order of the General, at Windſor Caſtle." (Ruſhworth's *Collections*, part iv. vol. ii. pp. 779, 792.)

habit of a ſoldier. But at this time Col. Ellis Leighton was actually employed as Secretary of the Engliſh Ambaſſador at Paris, and he had no occaſion to diſguiſe himſelf as a military man. The Hon. Roger North, in his "Examen, or, an Inquiry into the Credit and Veracity of a Pretended Complete Hiſtory [by White Kennett, Biſhop of Peterborough]," London, 1740, at p. 480, in reference to the ill-ſucceſs of ſuits in the French Courts, ſays—"There was indeed one infelicity in France, Sir Ellis Leighton, the Secretary of the Engliſh Ambaſſador at Paris, was the moſt corrupt man, then or ſince living, and betrayed the Engliſh and their intereſts for profit, or at leaſt extorted from them money to afford his aſſiſtance in their ſuits upon undue captures. It was the ſame perſon, that, being Secretary in Ireland, extorted moſt outrageouſly, and being expoſtulated with for it, anſwered, '*What a pox! d'ye think I come here to learn your language?*' But his own recovered him at laſt, that is the jail, where he died miſerably."

This unfavourable character is fully confirmed by Biſhop Burnet, who, in his "Hiſtory of his Own Time," ſays of Leighton, "He had a brother well known at Court, Sir Eliſha, who was very like him in face and in the vivacity of his parts, but the moſt unlike him in all other things that can be imagined: For, tho' he loved to talk of great ſublimities in religion, yet he was a very immoral man. He was a Papiſt of a form of his own: But he had changed his religion to raiſe himſelf at Court; for he was at that time Secretary to the Duke of York, and was very intimate with the Lord Aubigny, a brother of the Duke of Richmond's, who had changed his religion, and was a Prieſt, and had probably been a Cardinal if he had lived a little longer. . . . Leighton's brother, who thought of nothing but the raiſing himſelf at Court, fancied that his being made a Biſhop might render himſelf more conſiderable. So he poſſeſſed the Lord Aubigny with ſuch an opinion of him, that he made the King apprehend, that a man of his piety and his notions (and his not being married was not forgot) might contribute to carry on their deſign. He fancied ſuch a monaſtick man, who had a great ſtretch of thought, and ſo many other eminent qualities, would be a mean at leaſt to prepare the nation for Popery, if he did not directly come over to them; for his brother did not ſtick to ſay he was ſure that lay at root with him. So the King named him of his own proper motion, which gave all thoſe that began to ſuſpect the King himſelf, great jealouſies of him. Leightoun was averſe to this promotion as much as was poſſible. His brother had great power over

him; for he took care to hide his vices from him, and to make before him a ſhow of piety."

In a letter written in June 1658, Baillie ſays, "In Edinburgh things are more quiet. There is little more concord in their colledge: Mr. Leightoun does nought to count of, but looks about him, in his chamber: Mr. Dickſon, for fear of Mr. Guthrie, was active to get him there. His ſon, Mr. Alexander, ſucceeded Mr. Leightoun in his miniſtrie at Newbottle; where my Lord Lothian, his earneſt caller, and many of the people, became quickly ſo unkind to him, in his ſtipend, and other duties, that he was outwearied with them. His father, or rather Mr. Douglaſs, moved my Lord Broghill to deſire the Toune Councell to preſent him to the vacant place of the Hebrew Tongue; which accordingly was done, and he ſettled there in Mr. Leightoun's abſence at his yearly progreſs to London; on his return, he ſtikled more than is ordinar to him, to have the young man out; but his labour was vaine. In a late voyage to London he obtained, after Mr. Gilleſpie's example, ſome two hundred pound ſterling to the Colledge out of ſome church lands, which, in my mind, will be als-ſoone obtained as the flim-flams of Mr. Gilleſpie's gifts. However, Mr. Sharp obtained at London, that one of theſe hundred pounds, when gotten, ſhould be Mr. Alexander Dickſon's ſtipend. This angers Mr. Lightoun not a little; but all is quiet, for the miniſtrie there of our mind carie all things quietly and wiſely, without much noiſe."[1] The College Treaſurer was ordered by the Magiſtrates and Town-Council to pay to Mr. Leighton 1000 merks Scots, for defraying his expenſes to London in July 1658.

Leighton's ſubſequent hiſtory is well known. He was conſecrated Biſhop of Dunblane at London, December 12, 1661. On the forced reſignation of the Archbiſhop of Glaſgow (Alexander Burnet), through the influence of the Duke of Lauderdale, in December 1669, Leighton, without reſigning his See of Dunblane, was appointed Commendator of Glaſgow, but failing in his attempts to ſettle "our diſtemper'd Church affairs," by his propoſed accommodation between the two parties, he at length, in September 1674, reſigned his preferments in the Church, and all public employment, and having retired to England, died at London on the 25th of June 1684.

[1] *Letters and Journals*, vol. iii. p. 365.

JAMES KERR, KEEPER OF THE RECORDS.

AMONG thoſe of the name of Kerr who flouriſhed during the laſt century, who might be worthy of notice, there is one who ought not to be paſſed over in a work like the preſent. The perſon referred to, who was ſtyled by Dr. Johnſon "Worthy Mr. James Kerr," was connected, for nearly half a century, with the Record Office, Edinburgh. Among the manuſcripts in the Library at Newbattle Abbey, there is a volume, lettered on the back, "CHARTÆ GENTIS KERRORUM," and with the following title: "Diplomata Familiæ Kerrorum, principi aliiſque illuſtrioribus ex ea prognatis a Scotiæ Regibus conceſſa prout in Publicæ Archivæ habentur ab A.D. 1364 ad 1650. Illuſtriſſimo Principi Gulielmo Henrico Lothianæ Marchioni, etc. Summa ea qua par eſt obſervantia dicata, a Jacobo Ker enſcriptore. Edinburgi, 24th July 1742." Folio. This Manuſcript is dedicated by the compiler "To the Moſt Noble and Puiſſant Prince, William Henry, Marquis of Lothian, Earl of Ancram, Viſcount Brien; Lord Kerr of Newbattle, Oxnam, Jedburgh, Dolphingſton, and Nisbetts; Knight of the Moſt Noble and Antient Order of the Thiſtle, and Lord Clerk-Regiſter of Scotland." His Lordſhip held the office of Lord Clerk-Regiſter from March 1738 till February 1756. It begins thus:—

"MY LORD, Having for ſome time paſſt been employed as a writer under your Lordſhip's Keepers of the Records in the Lower Parliament Houſe, I have thereby had opportunity to look into the Antient Archives which are to be found there; which privilege I value much more than the ſmall profites attending the ſtation I am in," etc.

William Henry, Marqueſs of Lothian, as Lord Clerk-Regiſter, appointed John Alexander and James Kerr to be "Keepers of the Publick Records, depoſited under our care in the Lower Parliament Houſe at Edinburgh," October 20, 1746. Kerr continued to hold this office till February 27, 1777, when a new commiſſion by Lord Frederick Campbell, Lord Clerk-Regiſter, was granted in favour of Alexander and William Robertſons, upon Kerr's reſignation, on account of his age and infirmities.

JAMES KER was probably a native of Edinburgh, and had received a learned education. For nearly half a century he was employed as a clerk, and afterwards became deputy keeper of the Public Records. The above volume *of Diplomata* fully exemplifies his fitnefs for the office, and this is further confirmed by an unpublifhed report, written by him in the year 1760, of which I have a copy, along with an anonymous "Eſſay upon Teinds," pp. 46.[1] At the end of the "State of the Records in Scotland," pp. 39, is this note :—"James Ker, under keeper of the Laigh Parliament Houſe Compiled the forgoing State of the Records in the year 1760. He has alſo made a Compleat Index of all the Charters under the Great Seal that are on record in the Laigh Houſe, which conſiſts of 3 volumes in folio." In the General Regiſter Houſe is the ſcroll copy of this Report, marked on the back, "Reported by James Ker 18 Novr. 1757, to a meeting of the Lawyers and Writers." He ſurvived till at leaſt 1782.

[1] Since given to the General Regiſter Houſe.

A few corrections and additions which have been noticed ſince the preceding pages were printed may be here ſubjoined.

Page xxvii. line 6. Charles, ſecond Earl of Ancram, is ſaid to have died about the year 1680. He ſurvived till the year 1690, as we learn from the letter printed at p. cv. . . . It may alſo be noticed that by an overſight at line 8, Stanley Kerr, the third ſon of Robert, Earl of Ancram, is ſaid to have died young. It will be ſeen, however, from the letter of Lady Elizabeth Rich to her brother, the Earl of Lothian, at p. 478, that he was alive in Auguſt 1666. She ſays—"My brother Stanley was lately at Clinden, but went to London in hope to hear of ſome new employment for ſoldiers." He muſt, however, have predeceaſed his brother Charles without leaving iſſue.

Page xxxv. THE EARL OF ANCRAM'S Penſion. In the account of the King's Rents received by the Exchequer in Scotland, 1642 to 1649, is the following payment (in Scots money):—

"Item, the Accountant diſcharges himſelf of the ſumme of Fourteen thouſand ſeven hundreth thretty-thrie pound 6s. 8d., paid to the Earle of Louthian for the Earle of Ancrum, being in full of his penſion at Mertimas 1642, by precepts and recept 20 July 1642. £014,733 : 06 : 08."

Page li. line 15. A letter (p. 374) from the Earl to the Countefs of Lothian, dated December 9, 1652, fixes the exact date of their marriage. In this letter, in which he laments the proſpect of Leighton reſigning his charge at Newbattle, Lord Lothian ſays—"This was our mariage day, but you have caſten me doune with the feare of a divorce or ſeparation of a ſpirituall mariage." They muſt therefore have been married on the 9th of December 1630.

Page lxxiv. Arrears claimed from the Engliſh Parliament. See Ruſhworth's *Hiſtorical Collections*. Fourth part, vol. i. pp. 322-327.

1646, Auguſt 18.—"The Scots Commiſſioners in a letter to the Houſe of Commons, delivered in an account of the arrears of their army; the ſubſtance of which, together with the eſtimate of the Houſe of Commons of Moneys paid unto them, the exceptions of the Scots to that eſtimate, the Parliament's exceptions to their Account, and the Scots reply for ſatisfaction."

According to the particulars (which are fully ſtated in Ruſhworth), the Scots demanded about two millions, as due from January 18, 1644, to September 18, 1646, "having brought into this kingdom 1800 foot, 1000 horſe, and 1000 dragoons; and acknowledge to have received near £700,000 in moneys, proviſions, aſſeſſments, quarters, and otherwiſe."

Auguſt 21.—"The Commons took into conſideration theſe demands of the Scots; and after a hot and tedious debate (which laſted almoſt the whole day), they paſſed a vote, That the ſum of £200,000 ſhould be advanc'd for the Scots army, according to the deſire of the Scots Commiſſioners."

September 2d.—"The Scots Commiſſioners gave in a paper of reaſons why their army could not advance into their own kingdom, or leave their quarters in England without £200,000 were preſently paid them; and the Houſe of Commons having debated the ſame, voted they ſhould have ſo much at preſent if it could be raiſed."

Page lxxxviii. The Earl of Lothian and the other Commiſſioners ſent to the King at Breda, took ſhipping at Leith on "Settirday the nynt day of Marche; and eſtir ſum ſchort exhortatioun of ane of the miniſterie, and a prayer within the ſchip, and ſchooting of ſevin pece of ordinance, they hoyſed ſail with ane proſperous wind, and arryved at Campheir upone Tyſday thaireſtir at twelve houris befoir nune. They tuik with thame the Covenant to be ſubſcryvit by his Majeſtie," etc. (Nicoll's *Diary*, 1836, Bannatyne Club, p. 4).

Page 46, Note 2. In place of the words "on his return from France," read "when preparing to embark on a new expedition for relieving the Proteſtants at Rochelle."

Page 152, Note 2. In Baillie's letter, dated November 17, 1643, the following paſſage ſhould have been given in the extract. "Our negotiation at the Court of France, it ſeems, is miſcaryed. Lothian, with nothing done, is returned. He would not be diſſuaded from going to Oxford, where we hear he is laid up, to our grief and irritation."

Page 505*. The top lines ſhould read as follows:—"fermling to tranſpoirt the traine of artailzierye from Raivinſheuch to Sterling; and as for the works of Bruntyland the Committee hes ordainit the works to be compleitit and finiſchit, and that men or moneys be provydit thairfoir;" etc.

CORRESPONDENCE.

CORRESPONDENCE

OF

Sir Robert Kerr, first Earl of Ancram, and his Son William, third Earl of Lothian.

WILLIAM KER to SIR ROBERT KERR.

1616
May 26.

HONORABLE AND LOVEING COUSING; I receaued not long ſince ane letter from yow w^t^ the maiſter of Binny, quich was the firſt I hade ſince I am heir, bot ſo full of kyndnes, and gaife me ſo much contentment and ſatisffaction as it may ſerue weill aneuch for other three. It haith not only maide me remember quhat I already aucht yow, bot alſo increaſed ſo farr the nomber of my obligations to zow, as I moſt ſeik ſum vther meanes to acquyt my ſelf, quhilks I fear ſhall not be ſo eaſily found as I ſould be glaide to imbrace them. I vald regrait much the loſs of zour brother Thomas his company, iſe I knew not zour caire to be ſuch of him as I am aſſured it is for his weill; quich I ſhall deſyr with als much trew affection as any man braithing; for ſo his loue and kynd cariage to me heir haith obliged me. We expect now dayly my Lord Hays[1] our euery wayes extra-

[1] Sir James Hay of Pitcorthie was created a Baron of England in 1615, by the title of Lord Hay of Sauley; advanced in 1618 to be Viſcount Doncaſter, and afterwards Earl of Carliſle. About this time he was appointed Ambaſſador to France, but did not leave till July; "having lingered thus long in hope to be made of the Garter." (See *Court and Times of James I.*, vol. i. pp. 401 and 416.)

ordinaire Ambaſſadour; ife I be heir at his arriualle, and a witnes to his actions, ze ſhall knaw quhat paſſes. Ife not, I dout not bot ze will haue a number of freinds heir quha can better informe zow then I. As for the Pourtraict ze deſyred in zour laſt, I am about to haue it; and hopes to haue it at zow ſchortly, als weill done as any hes bein as zet ſent. Ife it content zow, I ſhall be glaide; and deſyrs ze wald vſe me freely in any thing ze can think me capable to ſerue zow; for non ſhall, God ſaife me, be more cairfull w^t^ fewer words to effectuat zour commandements. Ze tell me ther is vther things ze wald haue me bring home w^t^ me to zow quhen I returne; bot it is ſo vncertaine as I ſould be glaide to knaw them preſently, ſo I am liklyer to go farther of then to come ſoone home; bot, howſomeuer, vſe the power ze haue ouer me, I intreat zow; and giue me aſſurance of zour loue be zour freedome in that kynd, that I may haue that ſatisffaction in my mynd, and ſum means to witnes my obedience. As for newes, I vill wryt non; zour brother can ſufficiently informe zow of the eſtait of this countrey; only this much, I am, praiſit be God, in good health, and hes ſtrenth aneuch to do zow all the ſeruice it vill pleis zow command him quha reſts, zour moſt trewly affectionat Couſing, to ſerue zow,

WILLIAME KER.[1]

PARIS, the xxvj of May 1616.

To his honorable and loveing Couſing, Sir Robert Ker, gentilman of his Heichnes bedchalmber, giue theis.

1617 January 31.

SIR ROBERT KERR to MR. RAWLINS.[2]

SIR, Thocht I be in doubt that thefe at ſooneſt but meet you on your waye homeward, yett lett me, in as good tyme as I can, thank

[1] William Kerr, ſtyled de Lyntoun, had a grant of the lands of Preſtoun, in the pariſh of Oxnam, upon the reſignation of William Kerr, brother-german of Sir Robert Kerr, February 28, 1629.

[2] Dr. Donne, in a letter to Sir Robert Karre (no date), ſays, "The principall reaſon of my breaking the appointment of waiting upon M. Rawlins was, that I

yow for your letter from Liſbone of the 9 of December, (for if yow wrote more I gote them not). I can not paye yow with a wiſhe, for wee have not ſo much on our ſyde the ſea as your firſt diſcoverie, ſo wondred at that it rebounded vpon me, never remembering or perhaps not knowing the proverb—"Wiſhers and woulders are poore houſholders":[1] for if yow have not forgotten what yow wrote, as I doe alwayes, you wiſhed me the wealth then aryved from the Indyes. I know not whither this letter meſcaryed myght bringe yow to Inquiſition, at leaſt ſince yow did all yow could to committ a great wrong to that State. Iff my ſoule be ſo large as your complement made it, it was a repugnancy to think to fill it with gold: butt lett not this praiſe me out of my deſyre to haue theeſe bookes I deſyred: for as Alexander knew his mortality by lechery, and ſleep, and ſome other good gueſſes, I know the narrownes of my vnderſtanding be not yett knowing what maye be contenid in a booke praſeit be the witty pated wrytter of Don Quixote.[2] Spayne hes ſo at the verye entry tuned your ſpirit to complement that not to be guiltye of goeing along with yow in that ſin, I auoyd itt till I know at your returne, whither or not yow doe beleive in that black art: for I doe not think it amiſſe to compare it to a charme, for as that cannot worke butt to them that beleeve in itt, ſo I can not complement but with theſe I doe ſee receive it ether heartilye naturally or for the beſt deſcharge of court-

underſtood the King was from Newmarket." It would ſeem from this, that Rawlins held ſome office at Court. We find Giles Rawlins, "a ſervant of the Earl of Somerſet," was accuſed as acceſſory to the poiſoning of Overbury by his maſter; and was alſo taxed with indifference, being couſin-german of Sir Thomas Overbury, for not inquiring into his death. He had, however, ſent a petition to the King that it might be examined into by law rather than by the Council. (*Calendar of State Papers, Domeſtic;* October 4, 1615.)

[1] This proverb, "Wiſhers and woulders are poore houſholders," occurs in the "Scottiſh Proverbs, gathered together by David Ferguſſon, who died 1598." Edinb. 1641, 4to. Kelly quotes it, and ſays, "This, with ſeveral others, ſignifies the vanity of empty wiſhes." (*Scottiſh Proverbs explained in Engliſh.* Lond. 1721, p. 358.)

[2] It would, perhaps, be uſeleſs to conjecture the name of the work here alluded to as praiſed by Cervantes.

ſhip. If there be many in Spayne as good at it as there Embaſſador heir, yow maye all cum home ſo ſufficiently practiſed in itt that your lord Embaſſador himſelf maye perhaps complement with his young ladye, and this were a more dangerouſe example then any thing came out of France with our Embaſſador from thence, who, to there praſe be it ſpoken, came home leſs French then theye went out. This letter is lyke the tale of goeing to Weſtminſter where there is nothing named without Kyng, Kyng, King, or Kyngſtreet, and Kyng Edward and Richart, and all the reſt. So I haue often mentioned the honored name of Ambaſſadore, but it is with all reverence, and to yow that knows not now how to name a Lord without that addition: we ar not forbidden to take there name in vayne, nor do I think vaynelye of any of the three. For the firſt, I think him one of the beſt ſeruands that ever his Maiſter ſent to England; for his diſcretioun hes begotten good reſpect from a great many that were not before much affected to this natioun. The laſt, yow know I haue cauſe to loue and honour. That noble Lord, in the mideſt, I leaue to yow to praiſe fitlye; it is aneugh that I reſpect ſome of his frends beyond the power of my expreſſioun, and ſo he hes my ſeruice in a chayne. Yow ſee how vnwillinglye I pairt from yow that dares talk ydle till a whole ſheet be ſpent. Itt ſhall not be matter for a relict thocht—relicts be little better ſtuff: therfor cum home without all; caſt this in the ſea, and keep onlye the juice of it, which is, that

I am yowr Lrs frend Geo: Karr

St. James, the laſt of our January 1617.

I got yours from William Karr, butt in this month, and did not know how to returne yow anſuer till now.

To my much reſpected frend Mr. Rawlins, one of theſe Engliſe gentlemen that went to Spayne with his Majeſtieis Extraordinar Embaſſidor.

ANNE LADY BALMERINOCH to SIR ROBERT KERR.[1] 1617 July 2.

HONORABEL AND LOWING COUSIN, So ſoone as conueniency of tyme eſter the Parlement could permit, my Seſter and I, accompanied with the ſpecialls of our Nobleſs, as the Duc of Lenox, the two Marquiſes,[2] the Chancellar,[3] Earle of Argyle, Earle of Glencarne, Earle of Hume, Earle Tullibarne, Lord Binning, Lord Balcleuch, Yeſter, Roſs, Ochiltry, Garleis, my Huſband,[4] Brunt-Iland, and Walden, vith many others of gud forte; who, when wee are all vpon our knees in the priuy gallery of the Abbay,[5] Buckingham and Roxbruch cam out of the bedchamber and ver ſpectators: after that my Siſter had preſented the petitione (which ves draune vp in als conuenient terms as could be, keeping the ſubſtance of yours), my Lord of Binning begoud to giue his Ma^tie^ thanks for his many ſauors to my Brother,[6] vith an erneſt deſyre and requeſt, in all our names, for graunting the ſute of our petitione, vith ſuche encres of ſauor as ſhould pleaſe his Ma^tie^, whom the Chancellar ſecondet to the ſame effect, to whom the King anſwered thus: "God knowes, and many heere can beare me vitnes, what a care I euer had of that man, euen in his greteſt trubles, to preſerue him from extremity of law; for I am not like many other Kings, nor yet lyke my predeceſſor Hary the 8, quha made vp mignons to vndoe them for his owne ends; bot quhom I once loued, I haue no place to a hatred of them, altho neuer any King ves ſo euill vſed by his ſauorites as I heue beene." In

[1] This letter relates to an interview with King James VI. at Holyrood Houſe (after Parliament was diſſolved, June 1617), for the purpoſe of ſoliciting his Majeſty to reſtore to favour Robert, Earl of Somerſet, who was tried for the murder of Sir Thomas Overbury. His ſiſter, the writer of this letter, was Anne, wife of John, ſecond Lord Balmerinoch, and daughter of Sir Thomas Ker of Ferniehirſt by his ſecond wife, Janet Scott (of Buccleuch). By a former marriage Sir Thomas had two daughters, one of whom, along with her huſband, Sir Robert Melville of Burntiſland, is mentioned in this letter.

[2] The Marquiſes of Huntly and Hamilton.

[3] Alexander, Earl of Dunfermline.

[4] John, Lord Balmerinoch.

[5] The Abbey or Palace of Holyrood.

[6] Robert, Earl of Somerſet.

end, becas he ves prefently to parte hence, he deſired vee ſhould giue him lefer, and leaue that buſines to him: vith quhilk generall anſer vee ver forſt to acquiefs for the tyme, bot are of intention to caus found his mynde better before his parting out of this cuntrey, and refaue a more particular reſponſe vnto our deſire at his better leſer.

If our proceedings in this buſines be not ſo agreable vnto my Brother's vill, be refon of his preceeding contremands to vs by letres, it muſt be imputed vnto our affectione and deſire of his velfaire, altho I hope zow vill not finde them far differing from zour owne opinione. So, viſſing zou all hapines, I reſt zour loving feruante to my vtermoſt.

Ed^r^, 2 Julii [1617].

To the right hon^ble^ my louing Couſin, Sir Robert Karr of Ancram, knight, gentilman of his Highnes bedchalmer, theſe.

1619 April 9.

Sir Robert Melville to Sir Robert Kerr.

Richt Honorabill, I hop zow vill not think my long ſilence ſince the refait of zour laſt kynd lettere from Mr. Alexander Coluill proceidez of any laik of that dewtie I awe yow, bot being vnvilling idillie quhen I vaunt mater to faſche zow vith voordis, quhom I am bound ſo far vnto, in effect I vill rather mak choize to be tryit reallie be zow then ſtryue to giue ſatisfactione in voordis. That freind quho is vith God, knew beſt quhat mynd I cariet to yow, quhois vyf and children's barnis ſalbe to me as my awin; they ar not yet ſo far forwart in ther earand as your intreatie and others that ſuited did merit, zit I diſpair not thoct they tak to them ſelfis ſume laſur. I dout not bot Mr. Alexander and James Coluille has acquaint yow more particularlie. If your letters had cum vith my couſing, they had

beene, indeed, of ane old dait, for he is not cum heir or zit, bot that litill thing ves procurit for his moother cam vith the Preſident. I vill never dout, quhateuer he vald ſay of zour pairt, bot that all my freindis, quhom zow know I tender, may expect of zow quhat they micht of me, if I ver in zour place. I haue preſentlie fume litill earand of my auin that is cum to rypne, quhiche, if it be not taine in tym, vill ſpill, quherin I aſſuir my ſelf bothe of your beſt advys and aſſiſtance. I haue a ſignatour paſt his Majeſtie of my auin latill thing is goeing to the Queine, quhiche his Majeſtie deſyrit to be keipit clooſe till the Queinis conſent micht be obteinit, or othervays induring hir tym.[1] Now, others ar making ſwit for it, as the Marquiſe of Huntlie cheiflie I know is ther for that cauſe I mein, for att Dumfermling, quhiche makis me the moir inſtant to haue a varrand to exped myn. Therfor I haue directed the bearer to the Earle of Soommerſet, quhois aduys is moſt neciſair in the one ſince he ves procurer of the other; for thoct it be bot a meane mater zit it is moir to me then thrys als muche in ane other pairt.

Sir, I vill remit the perticular informatione to the bearer, aſſuring myſelf that zow vill omit no help may further me; and it ver a voord of the Prince, it may be his Majeſtie vald not think the vorſe of him to ſpeak for ſo old ſervaunts as my father and my ſelf, quher he hes ſo good a varrand as the King's hand alreadie at the ſignatour. Bot quhether this be fitting or not zow muſt knaw beſt, or quhat other meanis pleaſis zow I remit to zour diſcretione, quhom I knaw to be a treu agent for zour freindis; and for requytall I can promeiz no moir bot a thankfull hairte of zour faithfull freind, readie to doo zow ſeruice, Sr Robert Meluille.[2]

[1] The Queen Anna, wife of King James VI., died at Hampton Court, March 2, 1619, in the 45th year of her age.

[2] Sir Robert Melville of Burntiſland, on the reſignation of his father, Sir Robert Melville of Murdocarny, was admitted one of the Extraordinary Lords of Seſſion in 1601, which he continued to hold till 1626. His father had been raiſed to the peerage as Lord Melville of Monimail, and on his death in 1621 the above Sir Robert ſucceeded to that title. He died at Edinburgh, March 9, 1635.

Sir, my vyf thoct to haue vreattin to zow in thiz and ſumthing that earand of the lady . . . bot, becauz ſhoe had not Mr. Alexander Coluill to be her ſcryb, ſhoe deſyrit me onlie to remember her ſeruice.

BRUNTILAND, the 9 Apryll 1619.

To the richt honorabill Sir Robert Ker of Ankrum, knicht, gentilman of his Hienes bedchalmer, thefe.

LETTER RESPECTING THE DUEL between SIR ROBERT KERR OF ANCRAM and CHARLES MAXWELL, 1620.

[The writer of the following letter was Sir John Stewart of Traquair, who was ſerved heir of his grandfather in 1608. He was Member of Parliament for the county of Peebles in 1621; and was knighted, and ſworn a Privy Councillor. Charles the Firſt appointed him Treaſurer-Depute, and created him a peer by the title of Lord Stewart of Traquair, by patent, dated Whitehall, April 19, 1628, to him and his heirs-male bearing the name and arms of Stewart. He was raiſed to the dignity of Earl of Traquair, June 23, 1633.

The letter refers to the fatal duel between Sir Robert Kerr of Ancram and Charles Maxwell. It has no date, but could not have been written earlier than 1626. In the Regiſter of Confirmed Teſtaments he is ſtyled "Charles Maxwell callit of Terreglis, brother-german to John Maxwell of Conhaith, and indweller in Edinburgh." (*Edin. Comm.* Nov. 13, 1623.) From contemporary letters relating to this unfortunate event, the following extracts may be given.]

John Chamberlain, Eſq., to Sir Dudley Carleton.

LONDON, *February* 12, 1619-20.

Some ten or twelve days ſince there fell out an unlucky accident, by reaſon of a quarrel and challenge 'twixt two Scottiſh men, Sir

Robert Ker, near about the Prince, and Maxwell, brother to him of the bedchamber, who was left dead in the field, though he held himſelf the braver man, upon the ſucceſs of having killed one before in Scotland, and another in France. But the King ſays, though he pardoned him then, and the French King after, yet it ſeems God would not pardon him now. Upon the prince's humble and earneſt entreaty, aſſiſted by the Duke of Lennox, and Marquis Hamilton, together with the coroner's inqueſt finding it but manſlaughter, the King is pleaſed to remit the offence; and that Ker be reſtored to former favour, the rather for that he was extremely urged, and could not by any reaſonable means avoid it. The quarrel grew at Thomas Murray's table upon ſome ſpeech Ker uſed touching the deportment of Monſieur Lagnes, the French King's favourite; which the other would needs interpret to be meant by ſomebody [the Duke of Buckingham] here at home, and threatened he would force him to confeſs it; which *outre créance* it ſeems proceeded of the ſucceſs aforeſaid.[1]

Rev. Thomas Lorkin to ——

EMANUEL COLLEGE, *March* 8, 1619-20.

Yeſterday, Sir Robert Kerr received his trial here at Cambridge for killing Maxwell, who, according to the indictment framed againſt him, was found guilty of manſlaughter, and pleaded his rank for his life. The burning of the hand was ſuſpended till his Majeſty's further pleaſure ſhould be known; only caution was taken for his appearance (£2000 bonds which he and his ſureties put in between them) whenſoever his Majeſty ſhould command the execution.[2]

Chamberlain to Carleton.

LONDON, *March* 11, 1620.

Sir Robert Carr, who killed Maxwell, being uneaſy at the delays in his pardon, ſtood his trial at Cambridge aſſizes, and was

[1] *The Court and Times of James the Firſt*, vol. ii. p. 199. [2] *Ibid.* p. 203.

found guilty of manſlaughter; but his ſentence was deferred by the Lord Chief Juſtice till further inſtructions.[1]

The same.

LONDON, *March* 20, 1620.

Sir Robert Carr baniſhed inſtead of being burnt in the hand.[2]

Sir Edward Zouch to Lord Zouch.

WHITEHALL, *March* 23, 1620.

The Prince wiſhes a paſs for Sir Robert Carr who killed Maxwell, and whom he ſends beyond ſea, becauſe he will not have his Father's edicts ſlighted.[3]

October 23, 1620.

Special pardon for felony granted to Sir Robert Carr.[4]

SIR JOHN STEUART OF TRAQUAIR to SIR ANDREW KERR, MASTER OF JEDBURGH.

MY HONO^BLE AND MUTCH ESTEIMED FREIND, It pleaſit yow at our laſt metting, to intreat me that I ſhould know of my cuſing the Erll of Nithiſdaill, quho yow ſaid could geiue beſt aſſeuirans of the paſſages betwix your cuſing S^r Robert Kerr and Charles Maxwell, aſſeuirring me yow wald beleiue quhat he ſaid, for yow knew him to be ane honeſt man, quho wald not ſuey to nayther the left hand nor the right, bot in a iuſt way for bothe. Know, thairfoir, to ſatisfie your longing, I haue ſpokin my cuſing the Erll to that purpois at learg and home, quho hes upon his conſienſe declairit the quholl ſircumſtans to me, quich is as heirefter follweth.

Charllis Maxuell being deſyrus to inſinuat himſelf in the Deuk of Bukkinggham his fauor, by ſum reall teſtimonie of his fidelitie to him, made this his way. Alledging that one day, being at Maiſter Morrayis tabill, then Secritarrie to the Prince, abut the Criſſinmes

[1] *Calendar of State Papers, Domeſtic*, 1619-1623, p. 129. [2] *Ibid.* p. 134.
[3] *Ibid.* p. 132. [4] *Ibid.* p. 185.

tyme, he hard Sir Robert Kerr tak ane argument at the tabill concerning fauoritis, beginning his diſcours thus: Sayis he, "Tho wee will not meddill w^t^ fauoritis at hom, we may ſpeik of ſutch as ar abrod," inferring his diſcours from France, w^t^ admiration, that ſutch a man in quhom thair was ſo ſmall merit and ſo beaſlie borne, ſchould carie ſo great a ſuey thair, and ſo furth, more quhair of I am forgetfull. This diſcours, ſayis the Erll, lay beuried in oblivion for the ſpeace of tua or thrie month or thair aboutis, efter the quich Charlis Maxuell on[e] day, being rydding to the hous quhair the Countteſs of Nithiſdaill and my ladie Purbek lay, ten myllis from Newmarket, King Jamis at that tyme being at Newmarket, telis the Erll of Nithiſdaill of this diſcours as thay red along, affeurring the Erll he wald impairt the particular to the Deuk: "Quhat (replyis the Erll), Chairilis, I had rayther geiue you a thuſand crounis beſoir (ſayis he) ayther you ſchould doo it, or had don it," alleging it wer bothe a baiſſe and bad pairt to cheuſe a taill ſpokin at table, and at leaſt tuo munthis or thrie [after] the diſcours was ſpokin. Bot the [Earl] tould to me, he had ane other reaſone mouſing him to perſuad Charlis to [ſilence], for, ſais he, "I was at that tyme deſirous to mak peis tuix the Deuk and Sir Robert Ker, quho at that tyme was by the Deuk." This lay ouer eght dayis and more, till on[e] day the Deuk reſoluit to go to that hous quhair the Counttes, his cuſing, and his ſiſter-in-law lay, to ſie thaim, the Erll being in coatch w^t^ the Deuk and his brother Purbek, as thay wer paſſing allong, Purbek did lean heauelie upon the Erll of Nithiſdaill, quich bruſit him ſo as he tould Purbek how mutch he diſeaſit him, to quhom he preſentlie replyis, with a greit oth, ſaying that if Sir Robert Ker had bein in his pleace, he wald not haue weeried ſo mutch. So far thay enterit that the Deuk fell upon the Erll of Nithiſdale, and tould him, "My Lord, this is the man you ſo mutch labur me for to eſteim a freind; let me hensfurth heir no mor of that diſcours, or reſolue to leaue me, for yow cannot keip us both." "Quhy (anſwerit the Erll) dois your Greaſe eſteim ſo hardly of a man

that is honeſt and eſteimed ſo of all y^t know him? For my pairt (ſaid he), as I ſchall anſuer to God, if I knew any thing to the contrer, my mouthe ſchould never opin in his particular." "It is all one (anſuerit the Deuk), if you eſteim him more nor me, cheuſe, much goud doo you w^t him, I haue don." The Deuk that day, eſter dinner, callit for hors and left the coatch, and rode a heat to Newmarket, w^t quhom Charles keipit cumpany. Hauing ſtayed from thair ſore rydding, the Deuk fell in diſcours w^t Chairlis, quho, feinding his oportunitie, tould the Deuk the ſtorie the Erll of Nithiſdaill ſo mutch deſyrit to ſuppres. The Erll, quho at that tyme ſtayit behynd w^t his ladie, cam ſum thrie dayis eſter to Neumarket, quhair, eſter ſuper, bein w^t the Erll at his lodging, he tould quhat had paſt tuix him and the Deuk as they cam from Abbingtun, quhen he ſtayed behynd. "Weill (ſaid the Erll), Chairlis, I am ſorrie for quhat you haue done, for (ſaid he), yow haue ſchowin your eydilnes, nayther will it euer ly in your pouer to mak that goud." Quho anſwearit w^t a grit oathe, "I ſchall make him confeſſe it, nor dar he deny it, and if you be ſutch a freind to the Deuk, ax him of it, and let him know this; I haue giuin the Deuk notis of it, and tell, he ſchall not go back of it els it ſchall coſt him deir." Quhair-upon, ſaid the Erll, bein vexit w^t the importunitie of the man, four or [five came] to gether, and ſtill ſchifting, hoiping to mittigat the biſſines, till [the unfor]tunat man tould me he wald go ax him him ſelf; quich ſtill wrgit he ſchould not, and ſtill in the mein quhyll euſing my beſt argumentis to diſſuad, bot could not preuaill, till in end I did ax Sir Robert Ker if thair was ſutch a thing as was reportit or not? quho anſuerit me moſt diſcreitly, ſayd the Erll, and as I rem[em]ber in thir termis—"As I am ane honeſt man, my Lord, ſo far as my memorie ſeruis me, I niuer ſpok ſutch a thing, for quho (ſaid he), can rem[em]ber a tabill diſcours ſo long paſt?" To quhom the Erll replyis, "Sir Robert, I aſſeuir yow this biſſines is devulgit, and ſo far, as it is cum to the Deuk his eiris. If it be, Sir," thus ſaid the Erll, "yow have not done weill, nor delt weill w^t me,

quho was your freind, and quho treuly laboured to mak peace tuix yow and the Deuk, for it makis him jelus of me." "My Lord," anſuerit the innoſent genttillman, "belewe quhat I haue ſaid to be trew; and leaſt you ſchould ſuppoſe the contrer, you ſchall inform yourſelf by a man quho I am aſſeurit will not diſſemmill w^t^ you nor no man." "Quho is that?" ſaid the Erll. "Your freind (replyed Sir Robert) Charles Maxwell, quho I doo remember was that day att tabill w^t^ us." "Then (ſaid the Erll to me), I was worſe nor euer I was, for that was the man ſtroue to cut his throt, my freind, quhom I neidis muſt term ſo." Sir Robert and I at that tyme pairttit, and w^t^ als ſorrwe a hairt (ſaid the Erll) as euir man caried; for I knew miſchif wald cum of it, quich was neir. In the euining of that ſam day quhair in this diſcours paſt tuix S^r^ Robert and me, Charlis cam to me and axit quither I had ſpokin w^t^ S^r^ Robert or not; I anſuerit not, tho' I had, only to ſchun miſchif; bot w^t^ all tould him I wald, and ſtill euſit the beſt meanis I could to diſuad him from tredding any further in the biſſines, bot niuer could prevail. Four dais (ſaid the Erll to me) paſt, ſtill Charles was wpon him, axing quither he had ſpokin w^t^ Sir Robert or not. The Erll anſueris ſtill not, till in end the gentill man [Charles] was ſo moued that he forgot himſelf, and tould the Erll it ſeimed he durſt not ax the queſtion at Sir Robert, w^t^ the quich the Erll was mutch moued, bot w^t^ all this mutch more, w^t^ a grit othe, Charlis ſwore he wald trubbill him no mor, he ſuld axe him himſelf, and mak him confes it. The Erll replyed, "Charlis, it ſemis yow ar mad, or els a fooll, and to let yow the better ſie your follie, he hes aſſeurit me of the contrer, and w^t^ all, 'if yow will not truſt me, ax your kinſman Charilis Makxwell, quho was thair, and I hoip will ſatisfie yow.' Now, Charlis (ſaid he), iudge quither yow wrong innoſenſie or not, for littill dremis he of your perſecution." Hes he ſaid ſo? (anſuerit Charlis) go, my lord, w^t^ me, and I ſchall mak him confes it, els it ſchall be deir to on of us." "And is that the beſt of your reſoleutionis, Chairlis?" ſaid my lord. "It is." "Then, Chairlis, I will go w^t^ you to S^r^ Robertis chamber, and let him ſay

for him ſelf;" quich we did. Haueing parafrafit a littill wpon the biſſines, ſtill the flame increſit in both pairttis, bot I muſt neidis confes S^r Robert had ſar the odis in diſcretion; and as I ſchall anſuer to God (ſaid the Erll) on the grit day, preaſt by all the meanis beneth the heauin to ſchun it w^t a ſaif reputation, quich eſter fell out, for Sir Robert at that tyme keipit his chamber, ſeik of a violent flux, quich had keipit him ſix or ſeauin wekis. In end the biſſines fell to that hight amongis thaim, that thay both teuk me ſworn, ſaid the Erll, that I ſchould not reueall quhat paſt amongis thaim, quich I did and treuly performit, as the effectis proueit. In end, ſayis Chairlis, "then I ſie, Sir Robert, thair is nothing on your pairt bot a ſtif denyall." "I anſwer befoir God and your honorabill chif (ſaid Sir Robert), I juſtly deny it, and am innoſent of that aſpertion yow ſtryue to lay wpon me." "Weill, then (ſaid Chairlis), thair is no mor to be done amongis ws for this tyme, ſaue this, yow ſchall the morrow meitt me at ſutch a pleace, and befoir we pairt, I will mak yow tell another taill." The Erll paſt ane othe to me at the relation of this tragedie, that, as he ſchould anſuer to God, he knew not what pleace they had appointed. Bot he niuer ſould forget Sir Robertis valoris and wittie reply. "Weill (ſaid he), Chairlis, ſince it can be no better bot yow will put me ſo hardly to it, I will ſpeik no mor to yow as freind; and till this, ſo eſteimed by me, God is my judg, and your cheif is a witnes, quhateuir ſchall fall out, it is forlie ſoght upon me, quhairfoir I will commit the wark to God, and w^t all pas the word of a genttill man, y^t the morrow yow ſchall feind me at the pleace yow haue appointtit, w^t als mutch reſoleution to defend a juſt cauis from ane wniuſt diſaſtur, as yow for your pairt dar avoutch to haue;" and ſo turning to the Erll, as the Erll, among y^e reſt, relaitis, "I craue yow pardon for this needles diſturbanis, and dois in all humilitie tak leaue of your Lordſchip, only deſyring this reſonabill requiſt of your Lo/, quhom, as I know to be hono^ble you will proue, as till this yow ar repuittit to be juſt, and that howſoeuer the biſſines ſchall fall out, geiue eyther of us our dew, as the cais requyris." Quich, as I am a

Criſtian, in this diſcours tuix my cuſing, the Erll of Nithiſdaill and me, he ſo treuly ſwore he treuly did, for the quich till this day I niuer had my cuſing, Jamis Maxwellis loue, as befoir; for quhen they went out in the morning (ſaid the Erll to me), he was a bed; and eftir thay wer gone, Sir James Achterhouſe came to the Erll, and tould him thay wer gone to feght, deſyring y^e^ Erll to go furth w^t^ him to ſtay the combat; to quhom he replyed, "Pardon me, I will not, cum quhat will; I ſchall be thoght pairttie; bot yow ſchall do weill to go to the Deuk of Ritchmond, and deſyr him to ſend out ſum of his to ſtay the [combat]." Bot to tell you treuly, cuſing, ſaid the Erll, the Deuk of Buckingham did hould me to be to mutch upon S^r^ Robertis pertie, quich I tak God to be my iudge, was not further nor becam a man, both in honor and honeſtie; bot, to concleud, Chairlis had his reuard; for, as I ſchall anſuer to God, he ſoght it; for befoir S^r^ Jamis was on[e] half quartter of ane [h]our gone, Charlis his hors cam in lous alone to Newmarket, from the ditch, quhair his maſter lay dead.

This tragedie being accompliſhit, then had I my pairt; for it pleaſit King Jamis, quhois memorie I honor, ſueir all the othis of God I ſchould dey for it, that knew and conſealed, to quich I by oth was bund, yit, w^t^ in thrie dayis efter, I was callit in befoir his Ma^tie^, and King Chairlis, at that tyme Prince, was w^t^ the Deuk of Bukkingham, and Jamis Maxwell wer preſent, quhair it pleaſit King Jamis ax me the quholl paſſagis and ſircumſtanſſis of the biſſines, quitch I did relait, Cuſing (ſaid the Erll to me), as I ſchall anſuer to God, ſo far as my memorie will ſerue me, as at this tyme I doo to you. Wpon the quich I had my Soueranis abſoleution at that tyme for my compelled treſpas. And ſo reſtis treuly and fathfully youris,

S. J. Steuart.

I ſchall niuer forget quhat it pleaſit King Chairlis at that tyme ſay to me, quich was this: "Nithiſdaill, I thank yow for quhat yow haue done. Yow haue ſchowin yourſelf ane honeſt man, and if I leiue, I ſchall remember it to your contentment." This is the

quholl ſtorie treuly, according to my memorie relaitt [according] to your deſyr, to ſatisfie your longing, as I ſchall anſuer to the All-mightie from the Erll of Nithiſdailis mouth.

To my honoble and mutch eſteimed freind, Sir
Andro Kerr, Maiſter of Jedburgh, thais.

1621
March 29.

Sir Robert Kerr to his Son William, afterwards Earl of Lothian.

William, I would not let your freind Mr. Curwen cum to you w[t] out this remmembrance, that he may ſee I vallew you as you are to me. He muſt goe awaye, I ſee, to leaue the ſkwole to be a marwied man. Let not that mowe you, for, till your tyme of learning be out, you muſt be content to follow your book, and take ſuch company as you fynd, whither it be hear or elſwher; nor muſt you ſet your hart vpon any man, for men are but ſojowrners in this world; beſt freinds neawer ſtay certainly togither till they meat in heaven; therfor in this world ewery one muſt betake himſelfe to luwe wher his preſent affayres lye. Your preſent buſines is your booke, and the place Cambrige. Take all things els as by the way, but to that betake yourſelf ſeriouſly and diligently; yet becauſſe Mr. Curwen is the firſt gentleman that ever you luved ſo domeſtiqwally as your firſt chamber fellow, and it hapning alſo that his eſtat lies ſo near that part wher you're liklyeſt to be, and being alſo a good youth, and on[e] whom you may lowe ſecurely, I would have you giw him this encloſed ring as a freindly token at your ſundring, that it may be a means to make him remember you the longer and the better; and by this alſo you ſhall know that I hawe not only a care of your well in reall things, but ewen in matters of complement and pleaſure, ſo far as they are juſt and fitting to teach you to be the more reſpectiwe in your dewty.

St. James, 29 Marche 1621.

Endorſed.—Coppy of a letter written to my eldeſt ſonne at the College, Cambrige.

John, Lord Hay of Yester,[1] to Sir Robert Kerr.

1621. April 3.

Much honored and deere Cousin, I ſhould much paine myſelf before I feind ane ſufficiente excuſe for my leaſynes in keiping ſo long ſilence, wherſore I acknowledge my faulte, hopeing the thyther to atteane pardone at your hands. I feare not yow judge my rememberance of yow by the frequency of my letters, but if I ſhould at one tyme of ane hundreth (that yow are wholly the ſubiect my mynd runes wpon) geue leaue to the penne to wryte, it ſhould aither proue wearyſome to yow to reade, ore troubleſome to on that hes ſo few idle houres, as I know yow can haue, to anſwer, becaus yow will not be behinde with me for ane lettre: in any uther thing I will not be ſaid to ſtryue with yow, for, ſo long as I haue yet leaued, I can not ſay in any thing I haue bene uſefull to S^r^ Robert Karr; but this I leaue till yow think it tyme, and am contented to enterteane yow on that ſtring yow harpe ſtill wpon, w^ch^ is that I ſhould marry. I confeſſe yo^r^ laſt lettre has ſet me more on edge then I think I ſhould haue bene this two yeere of my owne diſpoſition; but, now that I conſider I muſt ones be, I lay aſyd theſe conſiderations w^ch^ were of befor as avers to my reſolution. Yow know I haue had perpetually queſtion w^t^ my mother, my Lo. Chan^r^ kepis up the warde of my mariage, my owne. I know not what fancie to trauell agane, and ſuch lyk, hes made me ſo long ane wower; but now I am begun to think that my delay to marry does more prejudge me then any thing els, and I am the thyther encourage to haſten to it, that I underſtand yow are about

[1] John, eighth Lord Hay of Yeſter, was a ſon of James, ſeventh Baron, and Margaret, daughter of Mark, firſt Earl of Lothian. He was alſo deſcended from the Kerrs of Fernihirſt—his grandfather William, fifth Lord Hay of Yeſter, having married Margaret, daughter of Sir John Kerr of Fernihirſt. He was created Earl of Tweeddale, December 1, 1646.

the ſame purpoſe.[1] I wer ungratefull if I wiſhed not yow ane good one, that hes had ſuch a care of myne. I remember in yo^r laſt lettre yow wryte freely yo^r opinion of theſe I had wryten unto yow of before, and I perceaue yow have more to ſay, if it pleaſed yow, of that partie, of whom, when I aſk be toung, yow will tell me yo^r thoughts. I wolde entreate yow to be free with me, in caſe I ſhould happen fett at that partie; heir ſhee is turne ane directe puritaine, and ſo generally well ſpoken off for her cariage in euery thing, that they are greate inducements to make me try farder of hir diſpoſition; not that I am ſo fixed or engaged (for I proteſt there is no motion as yet on either ſyde), but there is leſt place for yo^r opinion. If ſo be that we ſimpathiſe in mynde, I doe not ſie but I may hitt upon ane worſe matche. I look yow will geue me yo^r opinion freely, nor be not the loather to diuerte me of this courſe, for feare I be not ſo ſoone therefter engaged on ane uther; as for my Lo. Chan^cl his daughter, I ſweare I haue nothing to miſlyk of hir, for ſhee is ane very comely wenche, and may be a wyfe to the beſte in the kingdome.[2] I am als neir to him already as when I have matched with his daughter, nor meane I to marry without his approbation, ſo by that meanes I ſhall not rune hazarde loſſe his freindſhype. I haue bene with non leauing, ſo free in this purpoſe as with yow. I ſhould be glade it wer true they report, that yow are of mynd to cum doune againſt the Parlement with the Marquyſe of Hamiltoune; but, howſoeuer, I looke to heare from yow with the nixt occaſion. I was defyred be on Thomas Megget (who mett with yow in the Low countreys), to entreate of yow ane lettre in his fauors to Graue Maurice; he is cuming by ſea to England, and I promeſed to remember him to yow with the firſt occaſion. Thus wiſheing it may

[1] Alluding to Sir Robert's projected ſecond marriage. See p. 27.

[2] John, Lord Hay of Yeſter, was twice married—firſt, to Jane Seton, daughter of Alexander, Earl of Dunfermline, Lord Chancellor; and afterwards to Margaret Montgomery, daughter of Alexander, ſixth Earl of Eglinton.

ſtand with the conveniency of yo^r effaires to cum doune to Scotland at this witſonday, that I may haue the happines to ſie yow, and to be fund by yow yo^r louing coſen to ſerue yow, YESTER.

BOTHANES, 3 Apryle 1621.

To my much honored and louing Couſin
Sir Robert Karr of Ancrum, knight,
Gentleman of his Highnes bedchalmer, theſe.

JOHN, LORD BALMERINOCH,[1] to SIR ROBERT KERR. 1621 April 24.

RICHT HONORABLE, As I acknowledge the increaſe of my obligatione to yow by your continuing careſull endevors in effecting the deſired end of my buſines, ſo doe I remitt there concluſione vnto your ſelf in your freedome for choice of the fitteſt meanes, and ſhall at this terme, as of before, finde out ſome honeſt ſhift whereby I may wreſtle with the difficulties of theſe tymes, in hope of infallible victory over them before the next. As to my repairing towardis yow, I never affected it otherwiſe then that the pretext of theſe buſines might cover my longing deſire to viſite theſe I loue beſt there, as my conditionall deſire did beare; which ſeing yow haue ſo wiſelie diſproved, ſhall hencefoorthe be buried. Thus, expecting your finall freedome from all thes faſheries, I wiſhe yow all happines, and ſhall ever remayne your faithfull freind to diſpoſe off,

J. BALMERINOCH.

BARNTUN, 24th April 1621.

To my honourable and worthie freind,
Sir Robert Carre of Ancrum, knycht,
Gentlman of his Highnes bedchamber.

[1] John, fecond Lord Balmerinoch; ſee note, page 5.

1621 May 4. MARGARET, LADY OCHILTREE,[1] to SIR ROBERT KERR.

MY MOST LOVING SONE, As be the information of my couſin Androw Makdowegelle I haue recaued aduertiſhment of my dear young maſter and Prince, and of his highnes flooriſhing eſtate in all good vertewes, and moſt comelie cariage in everiething belonging to his highnes; wherby I am ſo greatlie comforted that I muſt firſt found the praiſes to my gracious God, that hes indewed his highnes with ſuch wertewes and ſo plentifullie enlarged his mercies and love to his highnes, in ſuch ſort that his fame ſpreeds in all nations, both to the honour of God's great name and his commendation aboue all others. So it is my cheef contentment and comfort in this earth, that my gracious God maks me to obtein my dayelie petitions for his highnes, and that in my owen tyme, and old age, I heir the accompliſhment therof. The Lord fulfill all my deſyres that his highnes may receaue the benefite, and I the comfort, of my daylie petitions, which I haue, and be the Lord's grace fall, ſo long as his divyne Majeſtie continues my ſinfull dayes in this lyfe.

My loving Sone, how fal I render ſuch thanks to yow for your wndeſerued kyndnes from tyme to tyme, chieflie now imploying your credit and wonted lowe to the furtherance of my ſute and petition to his highnes, which I heir by my forſaid Couſin of your inteir affection in the furtherance thereof, that I know not in what meſure I can acquyte or performe my dewtie and obligation to yow; yit, ſince that I cannot, I hope be my Lord's grace not to be unmyndfull to remember yow to my gracious God to accompliſh to yow that which I can not, who I aſſure myſelf will not leiue yow unrecompenſed. Now, my loving Sone, as I muſt intreat yow to remember that if his highnes ſend

[1] Margaret Stewart, Lady Ochiltree elder, had no ſuch claim on Sir Robert Kerr of Ancram, as might be inferred from the terms in which ſhe addreſſes him, in regard to ſecuring the continuance of her penſion. It will be ſhown in the Preface, that his mother was Margaret Dundas, a daughter of Alexander Dundas of Fingaſk.

not his warrand to his highnes Counſell heir for delyuerie of ſo much as pleſeth him to giue me with expedition, and that mention be maid in the warrand to mak payement to me of the ſix hundreth and twentie zeires croppe, which would be ſpeciallie mentioned in the warrand, or els I will be bot delayed till the nixt yeir, which will tend to my great prejudice, to the which I aſſure myſelf ye will haue ane ſpeciall regarde. And lykwyſe that ye will remember his highnes to ſpeik Sir Gedeon Murray, and to deſyre him to let me haue ſufficient payement of my penſion, that I haue in allowance of the Kinges Majeſtie, which is bot ane thowſand merks yearlie, and that my complaint be not hard, for I would have hoped, and aſſuredlie expected, altho[t] I had not ſerued the Queins Majeſtie, from the firſt moneth of hir arryuall to Scotland, to the laſt day of hir paſſing herefram,[1] I ſould haue bene reſpected by others, bot cheiflie ſince I had that mercie and honour of my God to haue the charge of my dear Lord and Prince his highnes, and ſeruice night and day done to his highnes, ſould be more reſpected nor others. Now, my dearly beloued Sone, I hartely intreat yow to haue me excuſed for faſhing yow with theſe my longſome lynes, wiſhing in hart I might render ſuch meating as your undeſerued kyndnes requyres, yit, ſince I cannot, be the Lord his grace, as I haue and ſall daylie, ſo now to his diuine Majeſtie, and to his grace I committ yow and all your affairs, who mot gyde yow be his counſell heir, and giue yow eternall glorie herefter.

Yours moſt affectionat Mother, euer aſſured to the vttermoſt of all power, MARGARET, LADIE VCHILTRIE elder.

DALKEITH, the 4 of May 1621.

[1] King James arrived at Leith with his young bride, the Princeſs Anna of Denmark, May 1ſt, 1590. On ſucceeding to the crown of England, by the death of Queen Elizabeth, he took his journey to his new inheritance, April 5, his Queen following in June 1603; and they were crowned July 25, 1605.

My lowing Sone, I cannot bot render you hartie thanks for your kyndnes and fauor to James Ween, who, I truſt, wilbe readie to ſerue yow to the vttermoſt.

To my very hartelie and moſt dearlie beloved Sone,
Sir Robert Ker, knight, of Ancrum,
and one of his Highnes privie chalmer.

1621 May 24. ALEXANDER, EARL OF DUNFERMLINE,[1] to SIR ROBERT KER.

MAIST HONORABILL GOOD FREIND, Ziour lettir in takin and aſſurance of zour kindlie remembrance, quhilk I reſaued fra Mr. James Scot, gaue me greate contentement, nocht for onye doubt I could haue before of zour conſtant fauour, bot the notis off zour hand war to me *pignora amoris*, ſa meikill the mair that zie teſtifie ſa cleirlie the guid will zie carie, all ſould goe and ſucceid with me to my contentment. I thank ziow maiſt hartlie, and aſſuiris ziow thair can hardlie cuim onye direction or ordonance frome thence can diſpleaſe or diſcontent me; *parendi gloria* is all I will clame to fra this furth that be God his grace I will keep in that courſe quhateuir ſall. I think na ſalt can be impute to me, quhair I may find me free of falt, I will nocht be ſubject to greate diſcontentement, and be this ſtarne, I intend to hald out the reſte off my voyage or nauigatioun. I hope ſhortlie to diſcouer my port. Think nocht for this, Sir Robert, that I think me onye neirar

[1] Alexander Seton, third ſon of George, Lord Seton, was born in the year 1555-56. Being a younger ſon, he was intended for the Church; and was admitted a ſcholar in the Jeſuits' College at Rome. Mary Queen of Scots, who was his godmother, conferred on him the Priory of Pluſcardine. On his return to Scotland he purſued his legal ſtudies, and paſſed Advocate, and profeſſing the Proteſtant faith, he was appointed an Extraordinary Lord of Seſſion, and took his ſeat on the bench by the title of Prior of Pluſcardine, in 1586: he ſucceeded as an Ordinary two years later. In 1593 he was advanced to be Lord Preſident; in 1605 he became Lord Chancellor of Scotland; and in the following year was created Earl of Dunfermline. He died at his houſe of Pinkie, June 16, 1622, in the 67th year of his age.

to death, farder nor that I knaw thair is ſa monye ziers off my mortalitie paſt. *Ego jam poſt terga reliqui ſexaginta annos,* and fyue maa; bot I think tyme now to be mair circumſpect, nocht ſa readie to tak meikill in hand for monye reſpects. I find me now far remoued from the ſprings or ſprentis, that mouis all the reſortis off our gouerment, and thairſore layis for ſuireſt ground to moue. I hald or latt goe as our firſt motors ſettis us to, otherwayis in [bulk] or banis I find zit leitill decay in me. I haue bein twayis or thriſe this ſpring ellis at Archerie and the ſame bowis that ſerued me 40 ziers ſence, fittis me als weill now as eiuer, and ar als far at my command. Suim ziow left me alſo ſeruis me als weill now as then. It is bot greate viris decayis faſt and ſonne; mediocritie contented me eiuir, and ſua ſall ſtill be God his grace. This ziow ſall haue inſteade off greater newis occurrence or aduertiſmentis zie haue in ſtore thar; wee ar ſkant off heir, to enterteine our freindis with in our lettris. I hoipe in ziour courteſie and kindnes at onye good oportunitie zie will remembir my maiſt humbill and deuote ſeruice in all affection to our maiſt ſueete gracious zioung Maiſter: God proſper him in all his actions, aduance his honour, and grant him all contentment. Sua wiſſis to ziow alſo ziour maiſt affectionat freind and ſeruitour,

DUNFERMELJNE.

Frome PINKIE,[1] 24 May 1621.

Ziour aunt my bedfallow[2] has hir alſo maiſt hartlie remembrit to ziow. I gett ſkerſlie any in a moneth a ſicht off my lord Zieſter; alwayis he is weill, ſtill feichting with the world.

To my maiſt honourabill good freind,
Sir Robert Ker off Ancrum,
in the Prence his Heighneſs bedchalmer.

[1] Pinkie Houſe, near Muſſelburgh.

[2] The Earl of Dunfermline married, as his third wife, Margaret Hay, daughter of James, ſeventh Lord Hay of Yeſter, and Lady Margaret Kerr, third daughter of Mark, firſt Earl of Lothian. Lady Margaret married, ſecondly, Andrew, Maſter of Jedburgh.

1621 June 7. WILLIAM DRUMMOND of HAWTHORNDEN to SIR ROBERT KERR.

SIR, Forgiue my long ſilence, which was not cauſed by forgetfulneſſe of what I am owne, but by reſpect. For in theſe buſye tymes I thought in your behalfe, from mee a tedious importunitye a greater wrong than reſpectiue ſilence. Though I haue no ſute at Court to trouble you with, yet ſo long as Daniell laſtes (who, dying as I heare, bequeathed to you his ſcrolls) or Done, who in his trauells lefte you his, I will euer find a way of trafficking with yow by letters. Not long ſince there came to my hands a Paſtorelle tragecomedye of Samuell Daniell's, which for her ſake at whoſe mariage it was acted, and to whom it is giuen, I intended to ſend to the preſſe.[1] But it

[1] SAMUEL DANIELL, the eminent Engliſh poet and hiſtorian, was born near Taunton in 1562, and educated at Oxford. After the acceſſion of James to the Engliſh throne, Daniell obtained an appointment at Court, and was afterwards made one of the grooms of the Privy Chamber of the Queen's Court. He died in October 1619. The anſwer to Drummond's requeſt in the above letter was, no doubt, that the Paſtoral had already been publiſhed. It was licenſed January 1613-14; and the firſt edition, which is of great rarity, has the following title, as given in Hazlitt's Handbook, in the liſt of Daniell's works :—

"HYMENS TRIUMPH. A Paſtorall Tragicomœdie. Preſented at the Queenes Court in the Strand, at her Maieſtie's magnificent entertainement of the King's moſt excellent Maieſtie, being at the Nuptials of the Lord Roxborough. By Samvel Daniell. London, Imprinted for Francis Conſtable, and are to bee ſold at his ſhop in Paul's Church-yard at the ſigne of the white Lyon. 1615," 8vo. 40 leaves.

It is included in "the whole Workes of Samuel Daniel," Lond. 1623, 4to, and in later editions. From Drummond's words it is evident the MS. was given to him by the lady on whoſe nuptials it was compoſed,—Jane, daughter of Patrick, third Lord Drummond. The identical MS. is preſerved in the library of the Univerſity of Edinburgh, among the books preſented in 1626 by the poet of Hawthornden. It is a quarto, very carefully written, and ſome of the blanks ſupplied in the hand of the Author himſelf. One of theſe, the lines "*From the temple*," etc., has this addition :—

"So merely we paſs along with our joyfull Bridall Song.'

But the moſt important variation is, that in place of the dedication to Queen

both wanting the title and hauing no Chorus, I thought I would firſt intreate you if there were a more perfect coppye among the Author's papers. Such legacyes, though for the moſt part they either are contemned or not much made of, yet are found more laſting than what the world eſteemes dearer, and to ſome other this might be a piece of an epitaph, though not to you that builds your fame on higher ſeated praiſe. This theame is too vaſt for ſo litle paper, and can not want ſome excellent wit of the poſteritye to meaſure it. Would I might liue to ſee you as in worth ſo tranſcend others in fortune, and yet then ſhould I neuer be more than I am yours, to command,

EDENBROUGHE, 7 of June 1621. W. Drummond.

To the right honorable Sir Robert Karre, knight,
gentleman of the Prince's bedchamber.

Anna, he ſubſtituted the following addreſs, which, as it is not found in his Poetical Works, may here be inſerted, with a facſimile of the author's ſignature.

TO THE RIGHT NOBLE LADIE, THE LADIE OF ROXBOROUGH.

'That this ſmall pecce was (noble Ladie) borne
To be among thoſe rites wh did adorne
Yor worthy Nuptialls, I reioyce, as one
Who ever longu'd to have his wiſhes ſhowne
In any thing that might yor honor ſound,
For that great goodnes I have ever found.
And, Madame, this much I would have you know
That I muſt evermore confeſs to owe
All gratitude vnto yor Noblenes,
Who always have bene readie to expreſs
Yor love to virtue, and to doe me grace
Wt all ſincere proceeding, in yor place.
Wh that the World from mee may vnderſtand
Here, Madame, I ſubſcribe it wt my hand.'

Samuel Daniel

1621 June 28. MR. THOMAS HAMILTON OF ROBERTOUN to SIR ROBERT KERR.

RIGHT WORSCHIPFULL, As I hawe ay hethirtyll in ilk neid had recours till your helpe, ſa nowe more eiraneſtly intreatis your helpe to aſſiſt my deſyre with my lord Marques of Hamiltoune anent Sir Gideon Murray[1] his place in Seſſion nowe vaicking be his deceas, where intill I ſall ſtrywe to deill ſa erneſtly and aydingly till his Lordſhip's ſervice as can be effectuat be yowr moſt humble ſervant, till power,

MR. THOMAS HAMILTON
of Robertoun.[2]

EDINBURGHE, 28 of Junii 1621.

To the right worſchipfull Sir Robert Car of Ancrum,
at his Hienes Court.

1621 July 13. JOHN, VISCOUNT LAUDERDALE,[3] to SIR ROBERT KERR.

SIR, The bypaſt experience I hawe had of zour favors giwes me boldnes to acquent zow with all my deſyres, and aſſuirance of zour furtherance to ther advancement in ſo farr as they are reaſonable. The buſyenes wherwith I am to trouble zow for the preſent is this: A place now vackinge in the Prince his Hyenes Counſell be

[1] Sir Gideon Murray of Elibank died June 28th, 1621. The above application was not ſucceſsful, as Sir Alexander Gibſon of Durie was appointed his ſucceſſor as a Lord of Seſſion, July 10th following.

[2] The writer of this letter became connected with the Lothian family by marriage. Lady Jean Kerr, eldeſt daughter of Mark, Earl of Lothian, was thrice married—firſt, to Robert Maſter of Boyd, who died in 1597; ſecondly, to David, eleventh Earl of Crawford, who died in 1621; and, thirdly, to the above Thomas Hamilton. In the Regiſter of Confirmed Teſtaments ſhe is ſtyled "Dame Jeane Ker, Countefs of Crawforde, and laſt ſpous to Mr. Thomas Hamiltoun of Robertoun, in Edinburgh, who died Auguſt 17, 1632."

[3] John, Lord Maitland of Thirleſtane, was created Viſcount Lauderdale, April 2, 1616; admitted a Lord of Seſſion in 1618; and raiſed in the peerage to the Earl of Lauderdale, in March 1624.

the death of Sir Gideon Murraye,[1] I hawe reſolved to interceid with my freinds ther, that be thair meanis I may be preferred to itt; amongs whom eſteiming zow to be one of the cheif, I will nocht be ſpairinge to putt zow to ſum paines for me. I am nocht ignorant of my awin inſufficiencye; zitt tyme I houp, and ſum longer experience (eſpeciallye in ſo wyſe a ſocietye), maye ſupplye ſum pairt of that defect: neither does anye ambitious humor pous me fordward, but a deſyre I hawe in that alſo to ſucceid to my forebears, who, to the fourth generatione, hes had the honour to be employed in particular ſervices be his Hyenes moſt noble anceſtors. And albeit wiſdome and verteu does nocht cum be inheritance (wherof I am ſorye I ſhould hawe ſo ſoore experience), zitt I will ever acclaime ſum greater intereſt in his Hyenes ſervice nor manye uthers can doe. I hawe lykewayes written to Mr. Secretarye Murraye for this ſam effect; and ſcars doe I expect that this ſhall cum to zour handis befoir ze take jurneye hither; houſoever I perſuad my ſelf of the continuance of zour kyndnes in this particular, and that ze will accept in good pairt my importunitye as proceidinge from zour moſt affectionat and reſpective freind and ſervitour, LAUDERDAILL.

EDINBURGH, 13 Julii 1621.

To the right worthye my muche reſpected freinde,
Sir Robert Ker knyghte, one of the Prince
his Hyenes bedchamber, etc.

CHARLES, PRINCE OF WALES, to the COUNTESS OF DERBY.[2]

1621
November 6.

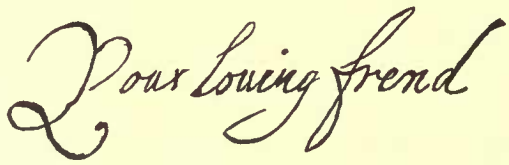
MADAME, This gentleman comes downe by my leave, a futor to your daughter.[3] What hee wants in meanes he hath in neerneſs

[1] On the 28th of June 1621. See note to the preceding letter.

[2] This intereſting letter is in the holograph of Charles I. when Prince of Wales. The Counteſs of Derby, to whom it is addreſſed, was Elizabeth, eldeſt daughter of Edward Vere, ſeventeenth Earl of Oxford.

[3] The Lady Anne Stanley was widow of Sir Henry Portman of Orchard Portman

about my perſon, in ſuch a place that ſhee will not be thought to diſcend by matching with him; I deſire that you will fauer his ſute, which I will take to bee a great ſauer to me; ſo, hopeing that you will put this obligation vpon me, I reſt





For the Countes of Derby.[1]

1622 February 27.

John (Spottiswood), Archbiſhop of St. Andrews, to Sir Robert Kerr.

Sire, Howſoevir Mr. Dowglas his own good partis be a ſufficient requytal of al the kyndnes I can ſchew him, yet I am content to know that ze think and eſteem of it as ze doe: for if I knew the occaſioun quherby I mycht expreſſe my kyndnes to zour ſelf I wold

in the County of Somerſet, who died in February 1621. Chamberlain, in writing to Carleton, October 27, that year, ſtates, "Sir Robert Carr, who ſerves the Prince, *has married widow Portman*, the Earl of Derby's daughter." Unleſs there had been a private marriage, it perhaps ſhould have been *has arranged to marry*. Prince Charles at leaſt never would have written the above letter, November 9, 1621, had there previouſly been a regular marriage.

[1] *This letter is endorſed*—"From King Charles the firſt, when hee was Prince of Wales, to the Countes of Derby, my grandmother." *And alſo, by a different hand*—"The futor was the Earle of Ancram, who was father to my grandfather the Earle of Lothian, and to the laſt E. of Ancram, who dyed after the Revolution; and to the Lady Vere Wilkinſon, and the Lady Elizabeth Rich. He had theſe three laſt by the lady to whom the Prince thus recommended him."

take it moſt willingly, and vſe it the beſt ſort, that ze mycht vnderſtand how muche I account of yow and your good affectione. I doe not expect many zeiris to my ſelf quhich zit the greate hopes I haif of your noble maſter our Prince makes me ſomtymes to wiſche that I mycht haife my part in the hope quhiche I know many ſal haife by his triumphs and victories over the enemyis of God. But I leave two ſonnes to ſeek thair happines in his Hienes ſervice,[1] and doubtis not but they ſal find zour favour and wil doe thair beſte to merit it: for ſo I haif commandit and commendit them to doe, and if amongſt the dead ther be any care of the levinge, theſe ſam affectionis wil follow me quhiche now I profeſſe and by deathe itſelf ſal not be extinguiſhed. In the mean tyme; how longe I remain heir, I ſal be cairful to approve them by my beſt labouris and ſervices to the Churche of God, quhiche I aſſuridly truſt ſal find confort and reliefe after al her threatnings of trouble by the means that God has appointed; to quhoſe continual protectione I from my heart commend yow, reſtynge your moſt affectionate to command,

SANCTANDREWS.

SANCTANDREWS, the 27th February 1622.

To my very honorabill good freind Sir Robert Ker of Ancrum, of his Hienes bedchamber at Court.

JOHN (ABERNETHIE), BISHOP OF CAITHNESS,[2] to Sir ROBERT KERR. 1623 October 16.

LOVING BROTHER, I congratulat moſt heartilie your maiſter his

[1] His eldeſt ſon was Sir John Spottiſwood of Dairſie and Kincaple, and his ſecond ſon was Sir Robert Spottiſwood, promoted to be Lord Preſident of the Court of Seſſion in October 1633. Sir Robert was taken priſoner, whilſt with Montroſe at the battle of Philiphaugh, and being tried "for having joined with him in all his acts of hoſtility to the ſtate," was condemned to death on the 16th January 1646.

[2] John Abernethie, A.M., was educated at Edinburgh, and in 1593 was admitted miniſter of Jedburgh. He was oppoſed for many years to Epiſcopacy, but in 1616 he was created D.D., and promoted to the vacant ſee of Caithneſs; being permitted ſtill to retain his parochial charge in Roxburghſhire.

Hienes happie returne and youres with him.[1] Here all men's hearts are enlarged with joy and praiſing of God and wiſh the event may be ſo in all things as they affected. Ze muſt ſend me your direction what ſhall be done with the cloſed letter ze ſent to me at your parting frome home. I muſt entreat yow to befriend me in ane eirand wherof verie laitlie the occaſion is fallen furth. The biſhoprik of Murray this ſomer did vaik.[2] It was offered to me by my Lord of St. Androſe, and he had his owne deſigne to haue put a friend of his in my place; but becauſe I ſaw it was a ſea of pleas and left in a bad eſtate I durſt not mak ſuch a hazardous toſſe: and ſince I refuiſed it he hath purchaſed a letter of his Majeſtie to vrge me to mak reſidence in Cathnes,[3] and is to ſtrait me theirwith. I deſire yow to deale earneſtlie with him to deſiſt frome that purpoſe, and to get his ſure promiſe their anent. For it is impoſſible I can mak reſidence. The rent of that benefice is ſo ſmall and far worſe payed becauſe of the people's barbaritie, that it wold not ſuſtaine me and my familie there ſcantlie half a year together, beſide that I haue no reſident place there: neither darre I hazard, vnder the feet and tyrannie of the Earle of Cathnes and his ſone. I reſort there in ſommer ſeaſone, and doe as much good to all my churches as can be requiſit if I did abide there. Ze muſt entreat him to ſpair me till God provide a fitter place for me, or till I find a fitt occaſioun to remoue. I pray yow be peremptur with him in this, and mak him ſure. I ſpak him at his parting frome Scotland that he wold ſute his Majeſtie to mak me frie of my taxations,

[1] Sir Robert Kerr accompanied the Prince of Wales in his expedition to Spain in 1623, to arrange the long-talked-of match with the Spaniſh Princeſs. (See *Court and Times of James I.*, Lond. 1849, vol. ii. p. 369.)

[2] The See of Murray became vacant by the death of Alexander Douglas in May 1623. His actual ſucceſſor was John Guthrie, one of the Miniſters of Edinburgh. He was depoſed by the Glaſgow Aſſembly in 1638.

[3] In place of Jedburgh, where he continued to reſide, as miniſter of that pariſh; only occaſionally viſiting his northern dioceſe. He reſigned his parochial charge in 1636, and was depoſed from his Epiſcopal functions, with the reſt of his brethren, by the Glaſgow Aſſembly, in November 1638.

which hithertillis I haue payed out of my owne purſe without any hope of reliefe, likas before ze went away he did writ to the King a petition for me which I did concredit to zow. But as yet I haue gotten nothing done. He willed me to writ to yow theiranent to ſpeak with him theirin, and he wold doe what lay in him. When ze haue obtained the former, then deſire him to further me in this alſo, for the time, now a litle after Martimes, is that I muſt mak new payment, which is verie hard to me. I pray zow excuiſe me ſo ſoone to faſh yow after zour returne, but need compellets me, and I mak bold to charge zow as my moſt enteir friend, knowing ze can well tak all in good part frome me, who ſo affectes yow as your loving Brother,

J. B. of Cathness.

October 16, 1623.

To the right honorabill Sir Robert Kar, gentleman
of his Hieneſſe bedchamber.

Mr. William Bennett to Sir Robert Kerr. 1623 November 27.

Right Honorabill, Althogh I haue not had ſo much as the occaſion to be knowen to your worſhip, farre leſſe the credite to be of your acquaintance, yet, hauing this deſired occaſion of writing, I haue taken the boldneſſe to ſend theſe lines as a meſſinger of my duetie to offer my ſeruice due vnto yow and to geue teſtimonie of that reſpect I owe yow. And ſince it hath pleaſed the all-diſpoſing God to call me vnto this place wherein your intereſſe is greate as your worſhip hes beene vnto George Johneſtoune my prediceſſour (vnto whom by his owne dimiſſion and with his kindneſſe I am ſucceeded),[1] both a

[1] George Johnstone was tranſlated from Foulden in Berwickſhire, to be miniſter of Ancram in November 1572. He was accuſed by Spottiſwood and other Biſhops of non-conformity, and deprived by the Court of High Commiſſion, June 29, 1622. He was alive in 1631. His ſucceſſor, William Bennett, A.M., was preſented to the vacant charge, July 25, 1622. He died in 1647. (Scott's *Faſti Eccleſiæ Scoticanæ*, vol. i. p. 483.)

patroune of his labours and protector of his perſon, ſo likewiſe I wold humblie deſire thoſe ſame wings of noble diſpoſition to be ſpread ouer me and my travells. And albeit for the preſent I cannot as I wold performe towards yow theſe offices of reſpect which it were meet I ſhould, becauſe of your abſence from this place, not the leſſe I am, and (God willing) euer ſhall be, readie to ſerue yow in all that I ſhall be able to performe. So, crauing pardon for my boldneſſe, I commit yow to the guiding and protection of the Almightie. Your Worſhip's to ſerue yow, MR. WM. BENNETT.

ANCRUM, Nouember 27, 1623.

To the right honorabill Sir Robert Ker of Ancrum knight, gentleman of his Hienes bedchamber.

1624 January 21. LADY MARY STEWART, COUNTESS OF MAR,[1] to SIR ROBERT KERR.

MY NOBLE FREND, Altho ther hes bein manie chenges this time paſſed, yett this one thing I haue fond ſtabell, your loue and kindnes to me and mine, which of anie eartly thing I wold moſt glaidly acknawledge, if I could ſee how or wherin I might giue full teſtimone of a greatfull mind, which is all I can offer to yow. This bearer will ſay that to yow which ware both longſum and griuous to me to putt in wreat, therfore I leaue itt to him to informe, and yow to doe all the good ye maye in this beſines betuix my Lord Marquis Hammiltoun, and my Lord, which from my hairt I woſſe war ſattled. I doe then recomend it to your cair, as I ſhall euer remaine your moſt affectionatt humble ſeruent, MARIE STEWART.

HOLIRUDHOUS, 21 Januer 1624.

To the right Honorabell Sir Robert Ker.

[1] Lady Mary Stewart, Counteſs of Mar, was the ſecond daughter of Eſme, Duke of Lennox; and ſecond wife to John, Earl of Mar, Lord High Treaſurer of Scotland (1605-1630), who died December 16, 1635. Lady Mar ſurvived till May 11, 1644.

SIR ROBERT KERR to [THE MASTER OF JEDBURGH?]. 1624 Aug. 6.

SIR, I ſie there is no goeing out of this country for me, but by forcing it, for doing my dewty that makes me looſe it in another place whether I muſt haſte; and therfore, moſt confident that your pardouning it will give the exemple to others, I take my leave this way, remitting the reſt ſo that yow can beſt vſe the oportunity of wrytting. I ſhall ſpeak to your Father by the way, as yow directed me, and ſhall wryte it to yow; and in what termis my brother William and I pairt, yow ſhall heir upon [our] finder. So, wiſhing all happines to yow and your company, and natural love betwein my ladye your wyffe and her ſonne and daughter, howbeitt I be not ſo happy as to ſie it, I take my leave with much kyndnes and reſpect as your loving ſeruand, S. RO. KARR.

SINLAWS, 6 Auguſt 1624.

THE EARL OF MELROSE[1] to SIR ROBERT KERR. 1625 April 1.

RYGHT HONORABLE, Knowing by your letter the moſt ſorowfull newes that I ever heard, with an addition, giuing aſſured hope of comfort, in reſpect of the manifold and manifeſt vertues of our King's ſonne and worthie ſucceſſour of the beſt and happieſt King (now enjoying eternall reſt and bleſſe) that euer liued on earth,[2] I ſent one of my ſonnes with all poſſible haſte to deſire my Lords Chancelar and

[1] Sir Thomas Hamilton of Prieſtfield was born in 1563, ſtudied the law in France, was admitted advocate in 1587, and appointed a Lord of Seſſion in 1592, by the title of Lord Drumcairn. He was elevated to the peerage, November 30, 1613, as Lord Binning and Byres; appointed Lord Preſident in 1616; and created Earl of Melroſe March 20, 1619, which title he exchanged in 1627 for that of Earl of Haddington. He died in 1637. Among the Lothian Papers there are many of his letters, but chiefly on matters of buſineſs.

[2] King James VI. died at his Manor of Theobalds, on Sunday, March 27, 1625.

Theſaurar to come with ſpeede to the Counſelhous in Edr, and bring with them all the lords of Counſell who were then with them at Craigmiller's buriall at the church of Invereſk, and in the meantime had with me the Clerk of Counſell, penning the proclamation of his Maieſties moſt lawfull autoritie royall, adding to the forme ſent be the Earles of Morton and Roxburgh that which I thoght convenient for our dutie and our people's comfort, as ye will know by the copie ſent from the Counſell, with a commiſſion to be exped by his Majeſtie for eſtabliſhing his Secret Counſell in this kingdome. It is blank in the names, but we haue ſent a roll of the late counſellours, that his Matie may make ſuch choice as to his wiſdome ſeemes expedient. With it will goe a warrant for renewing all the Seales, and if it can be had in time, a commiſſion for expeeding infeſtments. We directed a command to poſtmaſters not to ſuffer any to haue horſes till the Counſel's packet ſould firſt go. Thir ar the things requyring greateſt expedition, others ſall follow after due reſolution. I imparted your letter, with the notes in it vnder the Earle of Morton and Roxburgh's hands, to my lords Chancelar[1] and Treaſurar,[2] and cauſed my Lord of Mar reade what ye wrote concerning him. In them I find ſo true feeling of our countrie's happines by the being of theſe noblemen at Court in time of this great reuolution, and ſo honorable reſolutivs to concur with them and yow in all that can concerne his Maieſtie's ſeruice or our countries good, as greater can not be wiſhed. And if any mite in my ſmall power ſall be wanting, I pray God I liue no longer, and therefore affectuoſlie beſeech yow to let them ſie this letter as ane excuſe of my not writing particularlie to each of them, to whom and to yourſelf I ſall remaine faithfull and readie to do yow all ſeruice. Melros.

Edr, 1st of Aprile 1625.

[1] Sir George Hay, afterwards firſt Earl of Kinnoull.

[2] Sir Archibald Napier, Treaſurer-depute (1623-1630).

I muſt entreat yow to impart this letter to Sir John, my brother,[1] who will ſhow yow what I haue wretin to him. Your packet came heir vpon the laſt of March. The Counſell hes wretin to his Majeſtie, and a commiſſion for the Counſell to be new appointed, and ane roll of the names of thoſe who wer privie counſellors to our moſt gracious deceaſed King. Theſe are to come to the hands of the Earles of Morton, Roxburgh, Kellie, and Clerk of Regiſter, or ſuch of them as ſall be at Court, to be preſented to his Majeſtie, and the anſuer therof ſolicited. The copie of the letter to his Maieſtie will come to their hands, and ſo to your knowledge, before any farder proceed. My brother will tell yow of your friend's particulars.

To the right honorable Sir Robert Car of Ancram knight, Gentleman of his Majeſtie's bedchamber at Court.

Endorſed by Lord Ancram—"Vpon the hearing of K. James his deathe."

John, Earl of Rothes,[2] to Sir Robert Kerr.

1625 April 14.

Richt honorit and worthy Sir, I receaued Mr. Quhyts book, which I had in borrowing ſum dayes befor yours com; as alſo the other bookes to Mr. William Scott,[3] and my ſelf which ar wryten by Mr. Brent.[4] It pleaſed God that the moſt part of the goods of the

[1] Sir John Hamilton, of Magdalen's, was appointed Clerk-Regiſter, and alſo an Ordinary Lord of Seſſion, July 27, 1622. After ſome other official changes, he died November 28, 1632.

[2] John Leſley, fifth Earl of Rothes, ſucceeded to the title on the death of his grandfather in 1621. He became one of the moſt able and zealous opponents to the unfortunate policy of Charles the Firſt, both in Church and State.

[3] William Scott, A.M., miniſter of Cupar, occupied a prominent poſition in the eccleſiaſtical hiſtory of his time. He was the author of "An Apologetical Narration of the State and Government of the Kirk of Scotland ſince the Reformation;" and of "The Courſe of Conformitie," commonly aſcribed to Calderwood. (See *Note to Scott's Apologetical Narration, Wodrow Society*, p. vi.)

[4] The books here alluded to were probably "The Workes of John White, D.D.,

ſchip war caſten away, and the greitiſt part of the Erl of Marchells trunkes; bot that which conteined your books was ſaued, altho broken up, and euery thing uithin itt euell weat uith ſea watter: which tempeſt hath taken auay the two part of the ſchiping of Fyff, almoſt the haill ſalt panes, and hath ruined many houſes throch Fyff and Lothian, which war neir the coſt. This marrowleſs tempeſt was much about the tym of the death of our lat[e] worthy and matchleſs King,[1] to quhos uertewes and good graces I uiſch our Maiſter may ſucceid; expecting the beſt euer, till ſum actions declar his Maieſty's reſerued diſpoſition. Altho I renew that laſt purpoſs I had with you att our laſt parting att Cowper, I hop neither to incur the cenſur of curioſity nor importunity, ſinc I deſyred a ſatisfaction in that which, according to beſt appearrenc, may import the good or miſery of our Stat, which uas ſum notic from you of the diſpoſition of our Maſter touards such courſes as uas intended in this countray, which you micht perſeau did bread greit greif and miſcontentment amongſt the beſt both in plac and knawledg; ſuch as was that ſtreining of the ordinar cuſtomes of Counſall, decreits by particular letters which proceided from the dilation of certain captors upon the Counſell, allſo the impoſing of certain nouations upon the Kirk, which bread ſuch caus of miſcontentment be reſon of the occation giuen to exercifs ſuch ſeuerity upon both church men and others; and the impairing of the libertys of the Nobility both in Counſell and Parliament; to the which I remember ye did ſchow an impoſſibility to

together with a Defence of the Way to the True Church." Lond. 1624; and the "Hiſtory of the Council of Trent," tranſlated from the Italian of Father Paul (Sarpi) by Sir Nicholas Brent, and firſt publiſhed, Lond. 1620, folio.

[1] The tempeſt here mentioned occurred on the 30th March 1625, and its devaſtations are related by Calderwood, who ſays, "The like of this tempeſt was not ſeene in our time, nor the like of it heard in this countrie in anie age preceiding." The King died on the 27th of that month. His funerals were celebrated on the 7th of May; and the ſame hiſtorian ſays, "The funerall night was ſo tempeſtuous with thunder and raine at London and about, that the like paſſed the remembrance of man." (*Hiſtory, Wodrow Soc. edit.* vol. vii. pp. 632, 634.)

deliberat, in reſpect of his Maieſty's obedient diſpoſition to all things which did pleas his lat[e] father to eſtabliſch, either publickly or inioin him priuatly, bot did hop quhen itt ſuld pleas God to bring his Maieſtie to his father's plac ther ſuld be a mitigation of thos extremitys. Now I, as being lead with thir fallowing reſpects, dois crau an fauorabl exceptanc of this preſent, importuning you that is in ſo many greit affaires, firſt, the reſpect of the good and peac of this countray, nixt of his Maieſty, towards quhom all our eyes are intended to perſeau the firſt fruits of his actiones, and that he ſuld gain our affectiones; and thirdly, my regard touards your ſelf as being in my eſtimation far beyond any that is in the perſonall ſeruic of our Maſter. Now the tym being precious befor the ſtamp of any bad impreſſion which thos quho uar exalted and benificed be the former corruptiones uill preas to imprint, I thocht expedient to mak knawen to you with quhom I preſum much fredoom, that if you uill imploy your ſelf in quhat meſur of power you hau to mow a pacification of thos extremitys which hath ſallowed upon the Nouationes impoſed on the Kirk vnder ſchadow of indiferency, bot uſed far otheruays, untill the tym off his Majeſty's father tryall off the euell off them. And in reſtoring, or att leaſt giuing ſum good apearences of the reſtauration of the Nobilitys uonted libertys in Counſell and Parliament, the taking richt tym how far to requyr quhat opoſition is lykly; and all other circumſtances ar to be meſured be your uiſdoom and experienc in ſuch caſes. This much I can promiſs ſall ſallow, the greitiſt afection a peopl can cary to ther Princ, which nothing can ſo much procur as this I hau wryten; nixt, the good of the Stat of this nation in making that unity of mynds which is jangled with changes both in kirk and ciuil Stat, yea with a greiter number off goods then this paper can contein; which will be largly inſtructed iff euer we be mad happy by this wiſched chang to the better; and laſtly, quher now the world's cenſur of you is to be an underſtanding ſeruant to your Maſter, you ſall hau aded a freind to the Stat and Gods inſtrument, your reuard ſall be the lou of all good men, the promiſes off this lyff

and lyff eternall, if ſo be it ye do itt uith that entier intention which I think your heart promiſes. Deſyring sum aduertiſment off your hopes be the firſt paket; and what you wryt fall hau no farder cours then you deſyr itt. I do expect that Morton,[1] iff ye find any good ground to work on, fall aſſiſt, for I think him on[e] off the moſt feilling and underſtanding members of this Stat; yea befor any off the ancient nobility in an upricht judgment, which I pray God to augment, and to giu you good reſolution and ſucceſs in all your enterpryſes. Expecting pardon for prolixity, and hops my impertinency fall hau a fauorabl cenſur proceiding from the good intention of your continowing and moſt entierly affectionat freind to ſeru you, ROTHES.

Mr. William Scot and I dois thank you for our bookes; and iff he uas not interrupted uith heauy ſicknes uold hau rendered his aun thankes, which he uill do uith his opinion off the book quhen itt is dryed and bound.

LESLIE, the 14 of Apryll 1625.

To my uery honorit and ueill reſpected freind Sir
Robert Ker on[e] of his Majeſtys bedchamber.

Circa 1625.

JAMES, MARQUIS OF HAMILTON,[2] to SIR ROBERT KERR.

ASSURIT FRIND, I think my ſealfe moſt hape that I heaue anie-thing that his Mageſtie wyll doue me ſo much honour as to tak of

[1] William, Earl of Morton, continued in favour with the King, and was not only on the Privy Council, but was made Lord High Treaſurer in 1630. When removed from that office in 1637, in favour of the Earl of Traquair, he was appointed Captain of His Majeſty's Guard, and a Knight of the Garter.

[2] James, third Marquis of Hamilton was born in 1606, and ſucceeded his father 2d March 1625. At this time he was a ſtudent at Oxford, but went to Scotland about the end of the year. He returned to Court in 1628, at the earneſt ſolicitation of Charles I., with whom he had been a favourite companion, and was immediately

me. I wis that it may proue with him as it heath doune with me, for ſins the death of my father I heaue neuer alteritt it. So, beinge ſtill confident of your frinſhip, as I woold heaue youe take of your louing frind and ſarvant, JAMES HAMILTON.

I pray you knoe of the King if that ther be anithing eals that he hes a mynd to that I heaue.

To Sir Robert Kar, my aſſurit friend.

SIR JOHN STEWART, afterwards EARL OF TRAQUAIR, to SIR ROBERT KERR. 1625 May 16.

RICHT HONORABLE, In zour laſt to me, ze directid me to hawe ſent up my uncle, Sir Robert Stewarts gift of the ſuper-plus of my foreſt ſteadings, quhilk, be reaſon of thir ſuddaine and unexpectid changis, I have continowid untill ſuch tym as it ſall pleas zow acquaint me with zour mynd therin againe.

Sir, I hope ze vill be pleaſid leikvays to remember how at my laſt being at court I was perſuadit be ſume of my beſt freinds to be a ſuiter to our lait Kings Majeſtie for the honor and title of a Baron, the effectuating quher of being undertakin be the laſt Duik of Lenox[1] vas be his ſuddaine death ſo interuptid that ſince I hawe nevir ſoe much as bein deſyrous to hawe it mentionid, quhill that now the confidence I have of zowr power about his Majeſtie for effectuating materis of far greater conſequence, togither with the aſſurance I hawe (grundit upon many experiencis) of zowr gud mynd towards me, renewis in me the ſelf ſame deſyr, and in ſume meaſure maks me

ſworn of the Privy Council, appointed Gentleman of the Bedchamber, and ſoon after Maſter of the Horſe. In 1638 he was appointed Lord High Commiſſioner, and was created Duke of Hamilton 12th April 1643.

[1] Eſme Stuart, Duke of Lennox, died, after a few days' illneſs, at Kirby, in Northamptonſhire, in Auguſt 1624, when accompanying King James VI. in one of his "Progreſſes."

hope for the performance therof be zowr meanes. The reaſons did firſt move me to think hear upon are not unknawin to zowr ſelf, quhilks I leave to repeat, nather zit will I preſſe be anie uther argument or interceſſione of freinds to perſwade zow hearto, onlie as I have ſund zowr kyndnes heartofor more effectuall nor evir any vorthe in me can be able to deſerve, ſoe in this quhilk may contene ſoe much, I ſtill hope and perſuade my ſelf of the continuance of the ſamyn. But as in my former litle buſines, ſo in this, I continow all till new advertiſchment from zow; onlie this much I muſt earneſtlie intreat, that vith the firſt convenient occaſione ze vill be pleaſid to lat me knaw zowr vill hearin; for as ze ſall adviſe me I ſall reſt content ather to deſiſt from any farther medling in it, or uthervays, if it be a thing ze think may be done, to proſecute it as ze ſall direct me; for the quhilk and all zowr uther undeſervid kyndneſis I nather will nor can promiſſe anie thing, but the aſſurance of a trew and thankfull freind to his uttermoſt power. S. J. Traquaire.

Zong men's invencions are for the moſt part ſoe miſconſtructed, that, fearing the ſame may beſall me, in cais in lik maner this deſigne ſould be knawin, I muſt humblie intreat zow to keip all ſoe privie as zow ſall think fitting.

Traquair, May 16, 1625.

To the richt honorable Sir Robert Ker, gentleman in his Majeſtie's bedchalmer.

1625 May 30.

Sir Robert Kerr to Sir Thomas Hope of Craighall.[1]

Sir, To yow that I profeſs and owe ſo muche kyndnes to, yow may judge how glayde I would be to wryte to yow that your deſyr

[1] Sir Thomas Hope of Craighall, an eminent lawyer, was appointed in 1626 joint Lord Advocate with Sir William Oliphant, and on his deceaſe enjoyed the office alone.

to the Kyng is paſt, and be the contrayre that it is not paſt, ſoe ſorry I am. But I have good witneſſes beſyde my conſcience that I have donne all I could, and ſo did a better man, the Marquis of Hamilton; but the King hath refuſd vs both, yett not for any opinion he hath of you but good (as I hope yet yow will fynd), butt becauſe he hath been taught to be very cautious about that change of haldinge wayrd to convert it to blenche. Yet I keep your gift and the old Kyng's letter faifly by me, to ſett vpon it agayne, or to give it vpp to any yow will, or to ſend it to yow when yow pleaſe. I know my ill ſucceſs for you will not ſlack your care of me, for in all theſe matters that concerne eyther my ſelff alone, or that concerns my ladye Lothian's daughters and me, I deſyre and expect the continowance of your good will; and furder, as I ſhall be, ſo long as I live, as my lord Melroſe can beare me witneſs, your aſſureit frend and ſeruand,

S[R] RO[T] KARR.

WHYTEHALL, 30 May 1625.

I pray yow do all yow can, fairly to bringe your client, my Lord Ramſey, and my Lord Lothian's children to a good agreement. *Summum jus, ſumma injuria;* there is ſkaith aneugh alreddie.

I have ſent home my ſignator for my patronage. I pray yow haſte it throw, and imploye the laird of Lee to the biſhop.

To my worthy frend Mr. Thomas Hope of Craighall.

SIR PATRICK HUME of POLWARTH to SIR ROBERT KERR. 1626 March 22.

RICHT HONORABILL, This wthir lettre heirwithin I wrote quhen Mundurk went vp. I ſent it to Nanie Millers in Barwike, as he aſſigned me, but he came no there, and ſo I wes diſapoynted. Now, finding the commodite of ſo worthie a bearer, I could not omitt to

He was created a Baronet of Nova Scotia, 19th February 1628, and in 1643 was appointed Commiſſioner to the General Aſſembly; "an honour never before or ſince beſtowed upon a commoner."

truble him heirwith. Many admires this grite and inexpected alteratione in our ſeſſione, quho ar cheif moyeneis therof; zow can no be ignorant, *fœlix qui potuit rerum cognoſcere cauſas.* Zet als gude ſpectator as actor in ſuche a ſcheme. Admitt thame gude aneuch that ar entred into ther roumes that wer before, it will be long ere they give ſo gude prouf as ther cedents have done. I doubt not but his Majeſtie hes beene informed of ſome abuſes before, and thocht this fitteſt expedient for reformatione therof; tym, treuths mother, will try; *etiam magiſtratus virum oſtendet.* Quho wes thocht a wyſer nobleman, at leaſt a griter politician then the auld Earle of Montroſe?[1] but quhen he wes made Canceller, his ſcant of clergie bewrayed him. I think ſome ſatyrik lawier ſall bid our ſeſſiones gas[e] at ther *dilemmata:* a poete ſayd weill this, *Si fortuna volet fies de Rhetore conſul: Si volet hæc eadem fies de conſule Rhetor. Compendium vnius, diſpendium alterius.* Quhen his Majeſtie begins at the College of Juſtice to correct any preſumptione of enormities, quhat ſal be the end of lawes and rebellious people? And now, "tym is that judgement ſould begin at the hous of God" (1 Peter 4, 17), quhen any Levite may be a preiſt, etc. Corruptione in Counſell is muche prejudical to a commoune weall; but corruptione in the Kirk muche more impediment both to Chriſt his kingdome, and his vicegerent King Charles. God give his Majeſtie that ſame mynd that wes in King David, Salomon, Ezechias, Joſias, etc.; zea, and Cyrus (God's Scheipherd), and Artaxerces Longimanus, quho, for reedificatione of the Temple, commandit all things in the hous of God to be done according to the commandement of God, that they mycht pray for the King and his children, and lett all the faythfull ſay, So be it. Quhen zow wryt to me, zow ſpeare to ſpeake of ſerious

[1] John, Earl of Montroſe, was appointed Lord Chancellor, 18th January 1598, and one of the Commiſſioners for the treaty of Union, 11th July 1604. It was thought deſirable, however, as many queſtions of law might arife, that the important poſt of Chancellor ſhould be filled by a profeſſional lawyer, and to gratify the King the Earl reſigned, receiving in recompenſe a penſion of £2000 Scots, beſides being created Viceroy of Scotland, for life.

maters, but loſt quhat libertie I wſe with zow eaven grite and grave maters als weill as in complements, that zow may requite with the like *parrheſia*. I have ſent zour Pſalmes,[1] but they ar written with ill ink, and I have not ſo gude a hand to copie thame over agane. I think veré weill of thame, and wes excerceing my ſelf in ſome ſcolia making, but now muche empeſched with a trubleſome office of Sheref-ſchip, eſpectiallie about captiones, quherwith the guarde wes wont to take ordour, and now bund on the baks of ſchereffs. It were gude that theſe Lordes that ar from the Seſſione ſet a parte, wer made ſhereffs into their awn ſheriffdomes quhair they duell, becaus they vnderſtand beſt, and have more authorite nor wthers heir *joco-ſerio dictum:* and ſo reſts zour awn if any bodies,

S. Pat. Hume.

Aitone, Martii 22, 1626.

To my verie honorabill and affurit gude frinde,
Sir Robert Karr of Ancrome, knycht.

The Earl of Haddington to Sir Robert Kerr.

1627 October 8.

Ryght honorable, Dutie ſo preſſes me to haſte to court the noble Earle of Morton's letter, that I can not at this time write any thing but vnfeyned thanks to yow for your letter of the laſt of September. I pray yow take not ill what the Counſell did anent the ſequeſtration, becauſe ye had no decreit; how ſoone ye get it, all the teind will be yours, except the readieſt proportion to the good Miniſter for his Stipend. Your Sonne is diligent and careſull, and hes all his companie except officers, which ye muſt ſtudie to help, if he be not provyded by the Earle of Morton's meanes before or when he comes to yow. My Lord is in good health, and readie to part ſo ſoone as the wind ſall conſent. God bleſſe him and his cum-

[1] The metrical tranſlations of Pſalms by Sir Robert Kerr, (hitherto unpubliſhed), will be printed in the Appendix.

panie, and grant yow as great happines as I wiſh to your moſt loving Seruant, HADINTON.

EDR, 8 Octob.

To the right honorable Sir Robert Car of Ancrame, knight, gentleman of his Majeſties bedchamber at Court.

1627 October 11.

SIR WILLIAM KERR, afterwards EARL OF LOTHIAN, to SIR ROBERT KERR.

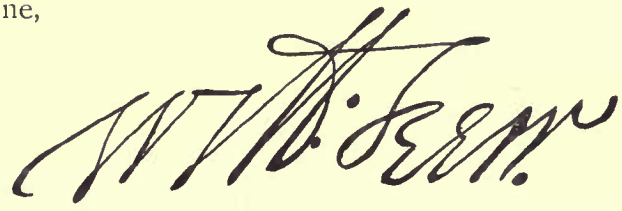
SIR, By Sir Jhon Stueart I receved two letters from yow, the one of the 17th of laſt and the other of the 1ſt of thes month. Yow wrytte ſhorte, yow ſay, becaus yow expect my vp comming. We have changed our reſolution of coming by land, becaus of my Lord of Morton's indiſpoſition.[1] Tomorrow we imbarke att Lieth, and are

[1] From this and a paſſage in the preceding letter it would appear that Sir William Kerr and his company formed a part of the Duke of Buckingham's unfortunate expedition to the Iſle of Rhé. In the *Court and Times of Charles I.* vol. i. p. 267, there is a letter from Mr. Beaulieu to Sir Thomas Puckering, Sept. 19, 1627, which contains the following paſſages:—

"About a fevennight ago, one Dolbier, who had been heretofore treaſurer and ſecretary to the Comt of Mansfield, came from the Iſland of Rhé, being diſpatched by the Lord Duke. Dolbier's chief errand is not only to haſten the sending of 6000 Engliſh, Iriſh, and Scottiſh, which are already levied, but also to preſs for a further ſupply of 7000 more; to what end or for what deſign I know not; but the men will be ſooner found than the money. My Lord Wilmot is now upon his going with the 2000 from hence; and the 200 Scottiſh, whereof the Earl of Morton hath the leading, are to embark on the 20th of this month, and to take their arms at Dover. . . . The Dunkirkers' thirteen men-of-war that were gone about Scotland are come in ſafely, notwithſtanding the Hollanders' ſhips that lie before their haven."

An intereſting account of this unfortunate Expedition, written by the celebrated Edward, Lord Herbert of Cherbury, was addreſſed to Charles the Firſt, but ſuppreſſed, it was alleged, at the King's deſire. A Latin tranſlation, by Dr. Baldwin, was printed at London 1656, small 8vo. The original MS., which was acquired at a London ſale many years ago by Mr. David Laing, is now in the poſſeſſion of Earl Powis. It was printed as a contribution by his Lordſhip to the Philobiblon Society, under the following title, "The Expedition to the Iſle of Rhé, by Edward, Lord Herbert of Cherbury: with an introductory notice. London, 1860." 8vo.

mynded, God-willing, to land at Yaremouth, if the Dunkerkers will give vs leave, and ſo come over land to London. I thank God I have gotten vp my Company almoſt miracouluſly, w^t^ very litle aſſiſtance of them ſhould, and proffeſs them ſelves to be my friends. I will lett yow know more when I ſea yow then I will wrytte. Ther are, of 20 Companies ſhould be in our regiment, ſome 9 or 10 ready to come w^t^ my Lord; the reſt are to be ready againſt the 10th of the next month, amongſt whome Wedderburne is one that cannot be ready. By this yow ſea how hard men are to be leavied in this country. Ther is ſo generall ane vnwillingnes in our country to any warr (for I cannot think they except againſt it becaus it is againſt France, for they are only baſſe people that know not how wee and France have ſtood this 8 or 900 years), as yeſterday a man that was taken by Sir William Balendene's Bayly in the Cannongate for ane ydle man, when he was preſſented before the Counſell, and by them diſcerned for ane ydle man, he, w^t^in the Counſell houſe, ſtrooke that Baylie through the body w^t^ a dagger. For my Companie, I have few but they that came to me frealy in Tividale, and I think w^t^ a great deal leſs charge then any company hath bean raiſed. I am att a great deall of trouble, becaus I have not Officers. That gentleman I writte to yow off, hes broken to me. Sir, if it be poſible, I would yow would help me to ſome Officers ther. Till I gett them, I will, when I come away, devyde my ſoldiers in ſquadrons, and get the gentlemen of my Company.—Your moſt loving and moſt obedient Sonne,



From Edinb^r^, October y^e^ 11, 1627.

To the right honorable Sir Robert Carr,
gentleman of his Majeſtie's Chamber.

1628 October 7.

Sir Robert Kerr to Dr. Donne,[1] Dean of St. Paul's.

Sir, I uas never better pleaſd then uhen I mett with your letter at this houſe when I came to it from Court, for by it as more by my wyffe and childrens being in it, I had cauſe to lyke it better then the Court, for I longed to heare from yow, and to fynde yow ſo much maiſter of theſe encombrances which aſſail your invincible ſpirit through the mudd of your bodye. I would the Rochell[2] could hold out as wele. Whatever your contemplation be of angells, I am ſo much converſant with creatures of another nature, that I would be glade to meet with yow who, I am ſure, are of a midle temper at leaſt between them and me, beſyde the infection of my dayly converſation, that by your help I myght be maide fit not to be vnworthy of your company, or at leaſt I myght knaw how to be uſefull to yow or my ſelf, or any bodye els in this new ſpheare of courtſhip ue are enterd by the Duke's death.[3] For this cauſe, or any other reaſon, iff yow will remember that uherſoever yow have loſt your ſelf all the reſt of this ſoumer, none of it uas caſt away on me, and therefore in this fayre weather, which God, I think, hath beſtowed on our navye onlye to make it ſo much the leſs excuſable iff it cum back *ſans coup frapper*, iff yow will (and I pray yow will it) come and ſpend ſome pairt of your lyffe more with me, bringing with yow what men or bookes yow pleaſe, and wee ſhall talk of all that is paſt freely, and it may be take ſome not impertinent reſolutions for the reſt of this yeir and of our lyffe to cum iff God have allowed vs any; and iff eyther of vs dye quickly it will mitigat our ſeparation ſo farr that we have taken ſo freſhe goodnyght.

[1] Dr. John Donne, the eminent Engliſh divine and poet, was born in 1573; was preferred to the deanery of St. Paul's, London, in 1620; and died March 31, 1631.

[2] Alluding to the ſiege of Rochelle, long occupied by the French Proteſtants. See note 2, p. 47.

[3] George Villiers, Duke of Buckingham, was aſſaſſinated at Portſmouth, on his return from France, by John Felton, Auguſt 23, 1628.

Iff I be the firſt that pairts, I will think my familye the happyer that yow were ſo lately in it; and iff yow goe before me, there be none now living on the earth whom I will ſo implicitly truſt to chalk me a way that I may follow, or with whom I will more contentedly converſe ſo long as wee lyve heir, ſo hath your extraordinary worth made happy by your friendſhip your faithful friend and ſeruand,

Sr Rob. Karr

Kew, 7 October, 1628.

Endorſed by Sir Robert Kerr—"The coppy of an anſure I wrote to this lettre of doctor Donnes, then deane of Paules."[1]

Sir William Kerr to Sir Robert Kerr.

1628 November 14.

Sir, Although I have nothing to writte, yet I would not miſs this occaſion to lett you know that after much foule weather our ſhipp came in hear into Portmouth harbour[2] on Sonday att night the 9th of this

[1] Various ſhort letters from Dr. Donne to Sir Robert Kerr are contained in the poſthumous volume of Letters, publiſhed by his ſon at London, 1651, 4to. They will be given in the Appendix to the preſent volume. That the autograph letters are not preſerved at Newbattle, may have been owing to their having been ſent to the younger Donne, and never returned.

[2] On their return from Rochelle. Mr. Beaulieu, in writing to Sir Thomas Puckering, November 12, 1628, thus deſcribes the diſaſtrous end of this ill-fated expedition:—"You had by my laſt the ſad news of the rendering the poor town of Rochelle, after ſhe had loſt 14,000 or 15,000 of her inhabitants by famine, having been four months without bread. . . . Our great fear is, that many of our ſhips are loſt by the moſt violent ſtorms which they have had ſince the yielding up of the town; for before they weighed anchor from that road, five of them were caſt away in one night, and of all the reſt we do not hear that there are as yet above twenty or thirty come back, having been all miſerably ſcattered at ſea. . . . The Vice-admiral, which had my Lord Morton aboard, is come." (*Court and Times of Charles I.*, vol. i. p. 424.)

La Rochelle, a ſtrongly fortified town and ſeaport of France, is ſituated near the extremity of an inlet of the Atlantic. It was long held as the ſtronghold of the French Proteſtants, and was ſeveral times beſieged without ſucceſs. At laſt, in 1628, after a

month. We are all in health, I thank God, and all this ẅoyage never haẅe loſt a man nor any ſicke. We are ſtaying for orders wher to take out our men, and how they ſhall be beſtowed. I wiſh it may be ſoone, for it is miſerable cold a ſhipboarde. This is all I have to wrytte, or the meſſenger's haſte will permitt. If yow have anything to command me hear, your letter will fynd me. I pray, Sir, ſend me word what I ſhall doe to my Captain. So I reſt your moſt loving and moſt obedient Sonne, WILL. KERR.

From PORTMOUTH, the 14 of Novemb. 1628.

1629 April 13.

JOHN, LORD BALMERINOCH, to SIR ROBERT KERR.

SIR, I hope yow will pardon that I am in theſe tymes behinde with yow in exchange of letteris, in hope that I ſhall endevour to be nothing ſhorte of that which ſhall bee found within my power to perform in all that thes require of mee. I wrote to yow latelie at the lady Newton's deſire, to ſhew her conſtant reſpect and truſt in yow for preſerving the eſtate of that houſe which ſhe brought to depend vpon youris, quhairvpon ſhee hath preſumed to vſe your name in the gift of her grandchildis warde and mariage; and becaus the ſignature by the Lordis of the Excheckeris and Ordinance lyeth vnpaſt the ſeales

ſiege of thirteen months, carried on at enormous expenſe, with the Duke of Buckingham's failure at Rhé, and his murder, the Rochellois were left in a moſt hopeleſs ſtate. The Engliſh fleet, ſent in October that year for its relief, having failed, the place was conſtrained to ſubmit to Louis XIII., who made his public entry on the 1ſt of November 1628. He cauſed the baſtions and other fortifications to be demoliſhed, the foſſes levelled and filled up, and treated the inhabitants with great barbarity. The expenſes of this laſt ſiege, according to Preſident Henault, amounted to forty millions (of francs); but there was, he ſays, this grand refult: "Ce fut une coup mortel pour le Calviniſme, et l'événement le plus glorieux, et le plus utile, du Miniſtere du Cardinal de Richelieu." The fortifications of the town afterwards were reſtored by Vauban in the reign of Louis XIV.; but the Proteſtant cauſe was extinguiſhed, and France ſtill experiences the effects of ſuch *glorious triumphs*.

till your mynde be knowen, it is her earneſt deſire either by your preſence, or your pleafour in write, to knawe your will toward that houſe and her ſelf with convenient ſpeede.

How welcome your Son will bee to my wife and my ſelf, even for himſelf, althogh hee were not the ſon of ſuch a father, I will not expreſſe in this ſuperficiarie manner, but rather in theſe reall effects which yow ſhall ever expect from your faithfull freind, ever to diſpoſe of,

BALMERINO.

EDINBURGH, 13 April 1629.

To the right honorabill Sir Robert Car of Ancram,
gentleman of his Majeſtie's bedchamber at Courte.

SIR WILLIAM KERR to SIR ROBERT KERR.

1629
September 19.

SIR, In my other letter I told yow, on the 11 of September, the enimie parley'd, and on the 13 they agread[1]—the conditions for the burgers and the towne as Breda, only the nunns are to ſtay there lives but none to cume in there places; the friers have two month's tyme to doe the buſines, only the Jeſuiſt march'd away w^t^ the foldiers—which was Monday following the Treaty. The 17th there came firſt the Prince of Orang his troope, and one troope of the Count of Strome vpon the head of it, then a troope of thers of archabuſiers, after this ſome 50 fyrelockes of thers, then many ſquadrons off our horſe that were apoynted for there garde, then the wagans, in number 1300, full of hurt, and women, and goods. Then the Governour's wyfe and daughter, then there footte in a body, about 1000, vnder 22 Enſiegns, then the Governour and ſome Gentlemen w^t^ him; after him three

[1] This letter evidently deſcribes the capitulation of the town of Bois-le-Duc, in Brabant. Frederick Henry, Prince of Orange, laid ſiege to it with 30,000 men, on the 27th May 1629. It was defended by Baron Grobendonk, and notwithſtanding repeated efforts made by the Spaniſh commander, Van den Berg, to raiſe the ſiege, the town was forced to capitulate on the 14th September. From this it would appear that Sir William Kerr had, along with other Engliſh and Scottiſh gentlemen, given his ſervices to the States-General againſt Spain.

troops of horſe, the beſt I ever ſawe. They brought out w^t^ them 3 whole and 3 halfe cannon, and two bombards, which came not forvard that night for the ill way. This is all I can wrytte concerning the Towne. The Quean of Bohemia[1] was there to ſea them march out. Now I goe vp to Arnham, what we doe ye ſhall know [in the next]. I reſt your moſt loving and moſt obedient Sonne,

WILL. KERR.

From Bus . . . the 19 of September.

1629 November 20.

SIR WILLIAM KERR to SIR ROBERT KERR.

SIR, I writt ſo particularly in my laſt letters by my marchant thatt I can write nothing in this, ſaving that Capt. Adams will have it as yett we have gotten no reſolution from the Eſtates but looke for itt today or this day ſeavennight. I mett two days ſince w^t^ Capt. Vanderap, whoe deſired me to write to yow that theſe notes you deſired of him are almoſt ready, which he will ether ſend over w^t^ me or give them to ſome other if I come away before. Since Mr. Hadan's death the Prince hath bean dealing w^t^ Sir James Levingſton to take his place of Lieutenant Colonell to Sir David Balfour, which he hath long refuſed, becauſe he hath commanded in a higher degree, but by the adviſe of the Queane, and the Embaſador, and my Lord Veer,[2] and all the other Colonells, he is perſwaded to receave it, which now he hath. He hath it, w^t^ the adition of Serg^t^ Maior Generall to Count Erneſt's Brigade, which Sir Jhon Hackett executed before. Sir, you will be pleaſ'd not to take notice of it, till he writte to yow him ſelfe, becauſe he told me he would writte to yow, to lett the King know he had imbraced ſutch a charge and why. Capt. Flood ſent me word the other day, that the armes yow deſired him beſpeake are readie, and deſires to know whatt yow will have

[1] The Princeſs Elizabeth, only daughter of King James VI., married in 1613 to Frederick, Elector Palatine, and King of Bohemia.

[2] Robert Vere, who eventually ſucceeded to the title of Earl of Oxford in 1625, was killed at the ſiege of Maeſtricht in 1632.



STONE AT ANCRAM HOUSE

have nothing els, but reſt your moſt loving and

WILL. KERR.

ber 1629.

the Embaſſador gott his firſt audience.

To the right Lond^ble Sir Robert Carr,
of His Majeſtie's bedchamber att Court

5.

[illegible] yeſterday, by Sir [illegible] letters from yow, which I will anſwear w^t a more [illegible] then the firſt. I am now providing for the Tearme which is neer, nor can I write any thing els att this tyme, but reſte your moſt lowinge and moſt obedient Sonne, WILL. KERR.

NEWBATTLE, y^e 5 November 1631.

I ſend alſo my Caſcketts yow writt for.

To the right Hon^ble Sir Robert Carr,
Gentleman of his Majeſtie's bedchamber, theſe

This ſtone is ſtill preſerved at Ancram Houſe, and meaſures [illegible] there are ſhields, bearing the arms of Robert Kerr and [illegible] inſcription, "Robert Kerr and Iſobel Hoom, Founder [illegible]


ROBERT KER

done w^t^ them. I have nothing els, but reſt your moſt loving and moſt obedient Sonne, WILL. KERR.

HAGE, the $\frac{20}{10}$ November 1629.

This day the Embaſador gott his firſt audience.

To the right hono^ble^ Sir Robert Carr,
gentleman of His Majeſtie's bedchamber att Court.

SIR WILLIAM KERR to SIR ROBERT KERR.

1631 November 5.

SIR, Jhon Kerr, according as yow gave him order, is comming away towards yow. The cauſe of his long ſtay hear was becauſe he could not leave his ſervice before the Tearme, and alſo to doe ſome of his private affaires. I ſend theſe, therfore, w^t^ him, to lett yow know that to day he goeth from hence to ſhip, and that I give him 20 lbs. Scotts to bring him to yow. I ſend w^t^ him alſo the breadth and length of the ſtone w^t^ the Armes is Over Ancrame gate, and what is carved and written on itt.[1] I receaved yeſterday, by Sir James Oliphant, letters from yow, which I will anſwear w^t^ a more certaine paſſage then the ſea. I am now providing for the Tearme, which is near, nor can I write any thing els att this tyme, but reſte your moſt lovinge and moſt obedient Sonne, WILL. KERR.

NEUBATLE, y^e^ 5 November 1631.

I ſend alſo my Caſcketts yow writt for.

To the right Hon^ble^ Sir Robert Carr,
Gentleman of his Majeſtie's bedchamber, theſe.

[1] This ſtone is ſtill preſerved at Ancram Houſe, and meaſures 20 inches by 27 inches. On it there are ſhields, bearing the arms of Robert Kerr and Iſobel Home, with the inſcription, "Robert Kerr and Iſobel Home, Foundar : and Compleitar : Anno 1558."

1631 November 9.

Sir William Kerr to Sir Robert Kerr.

Sir, I got from Sir James Oliphant a letter from yow of the 20 October, and now this day from Sir James Kerr two of the 23, but doe not remember the reciet of any by way of my Lord Traquaire's packetts. I hawe in ſome maner, by Jhon Kerr that dwelt att Sinlawes, whoe comes by ſea to yow, anſwaired that of the 20. He brings alſo the largnes of the ſtone is Over Ancrame gate, with all that is cut on it as I could drawe it; yett Sir David Hume tells a great part of his armes are not contained there, which the next occaſion yow ſhall receave by his informatione. For that yow write of the title, I hope it nor earthly thing ſhall make me forgett my ſelf nor others, but rather make me more ſtrive to keap off envy and cenſure by my humbler carriage: Nether can I, Sir, for your extraordinarie care of me, add any thing to that deutifull reſpect and affectione I bear yow naturally, which is already ſo mutch as more can not be. I am now in Edinburcht to advice with Mr. Lewis Stewart vpon the right of Jhon Cranſtone's anuall rent on the Spittal. He could not thinke on any way to ſhun the payment of it: Yett we muſt ſea more writts, for my lord Ramſay he advyſed to gett a letter from the King to the purpoſe Marke ſends yow, wherof there are many preſidents. He fears the action otherways wilbe long and mutch to my lord's advantage. I have alſo offered my Lord Kilcreugh 5000 marks for his intereſt in Dophinſton, which he hath taken to adviſe. I ſhall not be haſtie with Mr. William Jameſone, nor faile to deall warily with Jhon Kerr, whoe, I imagine, repents his not coming to yow when I left yow att Walengton. Yow told me Corbett would goe on with that match with Griſſell Hackett, which he hath altogither left off, and by your conſent he gives out. Since that tyme I have not ſeen him, only I ſea his letters to Lilias Dundas, Sir James his youngeſt daughter, whom he ſolicitis paſſionatly. Yett the yong woman and hir oncle, the Laird of Dundas, and hir othir friend, have abſolutly

given him the refuſall. Pitfirrane takes the way of itt wery ill, although he was not mutch in love with the match. I ſhall ſatisfie him the beſt way I can till I hear from yow.

Sir Henry Wardlaw has noe money, as yow will fynd by his letter. I ſhall hawe mutch to doe to ſatisfie all credittors this terme, becauſe at Martinmas little rents are payed in this country. Howſover I ſhall ſtrive to ſatisfie the reſt as I have done my ladie, whoe is payed, which will put off the danger of the clauſe irritant att this tyme. Today the eſcheat is paſt the ſealls which Andro Kerr ſhall have aſſignation to, when he hes ſatisfied thoſe men yow left him order for. Jhon Kerr of Neubatle will neads have att this terme his uhole ſumme. I have nothing els to writte att this tyme.—I reſt, Sir, your moſt loving and moſt obedient Sonne,

WILL. KERR.

EDINBURGH, the 9 November 1631.

To the Right Honorable Sir Robert Carr,
gentleman of his Majeſtie's bedchamber att Court.

SIR WILLIAM KERR to SIR ROBERT KERR.

1631 November 24.

SIR, I have already wretten att ſo mutch length in anſwear of letters from yow and what I could from hence, that att this time I can ſay noe more; yett I will. I miſs noe occaſion nor to give yow account of every thing I doe. I writt you in my laſt that Sir Henry Wardlaw had refuſed to pay your penſion; but my Lord Traquair yeſternight gave me better anſwear, when I deſired he would be pleaſed to pay it, or els to ſatisfie the Towne of Edinb^{r} for what is dew to them att this terme. I hope tomorrow all creditors ſhal be for this terme ſatisfied. Receave, Sir, this box w^{t} pills, made by Jhon Hamelton att the Biſhop of Cathnes his direction, and his letter. I have today gotten the only writts my Lady had in keaping, which

are the fewes of the eaſt and weſt Houſes, which are the moſt principall concerning Neubatle. I have granted the receat of them from her by a note of my hand. Alſo we have gotten the tax of the Teands of Niſbetts for a matter of nothing, which are of conſequence. I reſt, your moſt loveinge and moſt obedient Sonne, WILL. KERR.

EDINB^R^, the 24 November 1631.

To the right Hon^ble^ Sir Robert Carr,
Gentleman of his Majeſtie's bedchamber, att Court.

1631 November 30.

SIR WILLIAM KERR to SIR ROBERT KERR.

SIR, I receaved, by Mr. Haig, a letter from yow of the 15 November, which was the night the 26 of the ſame that my wyfe was brought to bed of a daughter, whom the next day, Sonday, I chriſtned Anne.[1] Hitherto, ſhe is as well as women in her eſtate can be, and the child lyfelike.

I had that day ended in Edinb^r^ all my terme buſines, and have only taken as mutch money as payed Jhon Kerr, whoe would by noe means want his principall ſumme

I expect by your next letters to hear from yow concerning my Lords Hadinton and Ramſay, and for what concernes the Tytle, I remett the tyme and way of it to your pleaſure, nether will I take notice what it is but from yow, although it is commonly knowen here; nether can things of that nature that paſſes the Secretary's man's hand be conceal'd; yett if there be any alteration, it had bean better from the beginning. I ſent yow a pacquet from the Towne and Provieſt of Jedb^r^, which they deſired I ſhould recommend. I hope yow will ſea it concerne not my Lo. Hadinton (whoe is now agreeing

[1] This lady, in due time, became the wife of Alexander Fraſer, Maſter of Saltoun.

w^t^ them) nor my Lo. Jedb^r^; otherways if yow aſſiſt them, ther good-will to doe yow ſervice will deſerve it. I have nothing els att this tyme, but reſt, Sir, your moſt lovinge and moſt obedient Sonne,

WILL. KERR.

NEUBATLE, the laſt November 1631.

To the Right Hon^le^ Sir Robert Carr,
Gentleman of His Majeſties bedchamber.

SIR WILLIAM KERR to SIR ROBERT KERR.

1631 December 9.

SIR, Although yow blame me for not writting or att leaſt vnwillingly, by your laſt letter of the 27, by my Lo. Newabbay, yett this is the 6 I have written w^t^out hearing of your receit of any of them. They can not miſcarry but in the hands of one of your ſecretaries, for they came all by packett, which, although it comes ſlowly, yett I tooke thatt occaſion (which I only found) rather then not write. I gave yow account by them what I had bean doing almoſt ſince I left yow att Walington, and moſt particularly what att this terme for ſatisfaction of creditors as alſo what I deſired yow ſhould doe concerning my Lo. Ramſay, which is the principall buſſines to[o] long neglected, as alſo what yow ſhould deſire from my Lo. Morton, and that yow ſhould writte to my Lo. Hadinton or Biny; otherways thay will take notice of nothing, but put us backe againe to yow. After the Chriſtmas vacation it wilbe fitteſt to fall on my Lo. Ramſay, which if we ſeake by lawe wilbe tedious, and almoſt deſperate. But y^r^ only way wilbe by that letter we deſired from yow, wheroff Marke Caſs ſent a copie that yow gett the King's hand to. Yow are to reſolve which amongſt the Lords of Counſell and Seſſion yow have in liſt yow will make chooſe of. You muſt alſo writte a letter to y^r^ Advocatt, that he may aſſiſt vs to gett my Lo. Hadinton's renuntiation formaly, and that my Lo. ſuffer not in his compoſition w^t^

the King, for the few deutyes, which although Sir Jhon Preſton had in penſion theſe former years, yett they are now my Lord's by tranſaction w^t^ him. Sir Jhon's man was yeſterday with me for 25 years fewdeuties. I ſhall compound with him the beſt I can, vnleſs yow know of diſcharges therfore. I have delayed him till I tooke out your writts

Concerning myſelf I writt two days ſince by Sir William Alexander. I beſeach yow conſidder it, and for the Title which I thinke yow are about to change from the firſt patent yow had under the King's hand, and which is publickly knowne by many letters, and of theſe are come from thence, what cenſure it will vndergoe and what diſcourſe it will cauſe, yow may eaſily judge if the change proceid from the *bien ſeánce* my Lo. Traquair told me off, and was the reaſone he brought it not downe according to the firſt draught, which was that the Sonne ſhould have a tytle before the Father. I thinke that can not be conſiderable ſince any honor I have is yours, although it had diſcended on me with out queſtion from my Lo. Lothiane, and not by your procuring. Nether can any ſonne be more reſpective of nor obedient to a father (nor w^t^ more reaſone) then I am. If yow leſſen then your owne deed it will make the world thinke I have given yow cauſe (which I am not in thought guiltie of) not to eſteame of me as I am to yow, or that I am not what nature and your more then extraordinaire care of me, oblidges me to be. Therfore I beſeach yow, Sir, alter it not (not that I am vaine of ſutch a Title or place), but for the diſcourſe will follow on it. Lett me, then, Sir, have no honor but what will deſcend by yow, or all that my predeceſſor had, at leaſt in name, for I had rather be nothing then Lo. Newbatle. And I thinke this third would be mutch more for your honor and the ſatisfaction of my Brother's friends; if yow gett not ane Ingliſh title to take one hear for your ſelf to deſcend on him, to be in date and place before myne. I beſeach yow alſo conſidder my other deſire in my former letter about my going abroade awhile, which deſire wilbe augmented to be out of the way vpon the diſcourſe wilbe why yow have repented of that yow

firſt procured for me.—Your moſt lovinge and moſt obedient Sonne, WILL. KERR.

NEWBATLE, the 9 December 1631.

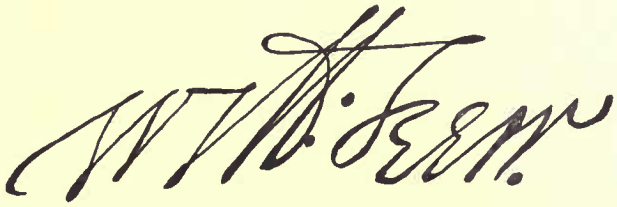
To the Right Hon^bl Sir Robert Carr,
Gentleman of his Majeſties Bedchamber.

SIR WILLIAM KERR to SIR ROBERT KERR.

1632 January 28.

SIR, I receaved your letters w^t the patent[1] in Tividale where I was, from whence I preſently parted to gett it put in Latin and paſs'd; which now wilbe on Tewſday the next Counſell day. Mr. Patricke Sands[2] tranſlated it, but it is now mended by the Advocatt, and going to Sir Jhon Scott's chamber to writte over. I have delivered all your letters, and they all expreſs'd there contentment w^t many good words and there reſpect to yow. I ſhall writte of every thing att more length when it is allowed in Counſell. My Lo. Advocatt's packett brings this to yow, whoe is your moſt equall conſtant friend. I reſt in haſt, Sir, your moſt lovinge and moſt obedient Sonne,

EDINB^R, the 28 [January], 1632.



To the Right Hon^bl Sir Robert Carr,
Gentleman of his Majeſties Bedchamber att Court.

[1] Sir William Kerr was created Lord Kerr of Newbattle and Earl of Lothian, October 31, 1631.

[2] Patrick Sands, A.M., in 1589 had been chofen one of the Regents or Profeſſors of Philoſophy in the College of Edinburgh. In 1597 he reſigned this office, when he

1632 February 1.

Sir Thomas Hope to Sir Robert Kerr.

Rycht honorabill, I reſſauit your kynd and hartie letter, and hes contributtit my beſt affectioun to the inauguratioun of your deir Sone, to quhom I pray for a bliſſing in his dignitie and eſtaite. His patent wes paſt and expied with greit reſpect both to yow and him, and to him, both for yow and him ſelfe, a worthye ſone of a worthie father. He may thank God quho hes gevin him ſuche a father, and yow that God hes gevin yow ſuche a ſone. Be thankfull, and God will bliſſe his bliſſingis to yow both. And I ſal never ceaſe to wiſche the intreſte thairoff, as one quho long ſince hes takin yow for a patroun, and ſhall never varie nor change from the promiſe and reſolution to be and remayne, yours maiſt faythfull and bundin ſeruitour, Sr Thomas Hope.

Edinburgh, 1 February 1632.

I am ſtill waiting for his Majeſties gracious fauor and inclinatioun to my Sone.

To the rycht honorabill Sir Robert Kerr of Ancrum, knycht, gentlman of his facred Majeſties bedchalmer, and one of his Majeſties honorabill privy Counſel of Scotland.

1632 April 5.

William, Earl of Lothian, to Sir Robert Kerr.

Sir, I have written att ſutch length in my Lo. Roxbrough's companie, that now I nead only to mention it and this bearer, if I had ſlip'd that occaſion, would have eas'd me the writting att that length,

accompanied Robert, Earl of Lothian, in his foreign travels. He married the daughter of Provoſt Aikenhead, who obtained his appointment as Principal of the Univerſity in March 1620. This he reſigned in Auguſt 1622. Sands died in the year 1635. (See *Crawford's and Dalzell's Hiſt. of the Univerſity.*)

becauſe he is ſoe careſull of any thing concernes yow, and thinks himſelf ſo intereſed, that I ſhould have refferd to him to give yow account of what yow ſhould know. This makes me ſoe generale and ſhorte. Only this, Andro Kerr of Litleden will neads come vp to yow to gett that charter ſubſcribed, which he ſayth yow halſe promiſed. He may be very vſefull to yow for getting that parte of his father's eſtate yow poſſeſs, becauſe he knowes and hes ſtudied to his tricks of law. But, Sir, whither yow doe it for him, or Lochtour, I pray yow ſend me the Charter, that I may make them doe what is fitt for yow. I will reffer to this gentleman to tell yow what we have bean doing this laſt Seſſion, and are to doe in this Vacation, and what we deſire your aſſiſtance in.—I reſt, Sir, your moſt loving and moſt obedient Sonne,

ANCRAME, the 5 Aprile 1632.



To the right honorable Sir Robert Carr,
gentleman of his Majeſties bedchamber att Court.

ANNABELLA, COUNTESS (Dowager) OF LOTHIAN,[1] to SIR ROBERT KERR.

1632 May 1.

SIR, Al this whyll that I haue not wreten was no falt in my reſpect to you, nor any change mongſt vs at home; only I ly a little out of the way of packet or paſſenger, and yet hath nothing to ſay bot that we ar all of one hairte heire, and ſuch a ſone you haue giuen me, that I thank God for him, that when I think he hath all the loue I am able to beſtow on another, he dayly gains more and more of my

[1] Lady Annabella Campbell was daughter of Archibald, ſeventh Earl of Argyll, and married Robert, ſecond Earl of Lothian, to whom ſhe had two daughters, Anne and Joanna. The eldeſt, Lady Anne Kerr, married Sir William Kerr, who was thereupon created Earl of Lothian, "the dignitie" mentioned in the letter.

afection; ſo, if oths were ſuitable expreſſions in ſuch a caſe, I could ſwere he ſufficiently deſerues the caire we haue hade in ſatleing his eſtate, and your paines in purchaſing the dignitie, which in my poore opinion is well. So, leauing all particulare to your conſideration of what I haue ſaid and done heirtofore, and bynding vp all the confirmation of old acquentance and new alyance, vnder the name of your Siſter and ſeruante A. Lotiiiane.

Poltoune, i May 1632.

To the right honoble Sir Robert Ker,
Gentleman of his Maties bedchamber.

1632
September 27.

The Earl of Lotiiian to Sir Robert Kerr.

Sir, I was very glad when I receaved your letter which bid me keap vp that yow had written to my Lord Hadinton, which I had a great mynd to have donne of my ſelf, at leaſt have taken avay ſome words which would not have any thing altered the ſence, but made it leſs diſpleaſing to him. Mr. Haig, when he went from hence, made a motion to him (which he nether aproved nor diſliked altogither) of ſelling to yow your right conſidered, and that he had gotten from the vaſſalls to be a part, which I have always thought would be the beſt way to deall with him whoe hath more violence and paſſion then ſtands with his wiſdome; whoe, beſides the deſire he hes of heaping and hatching wealth, thinks it a leſſning of the opinion men have of it, if he have left any hole for the law to come in to take any thing from him, which he muſt neads ſea in this, if there be any equity in Scotland; and therefore, I think he will take that faire way to come aff with his honor, and that moſt men will think it donne to the frienſhip hath bean betwixt yow, which certainly he would intertaine at any rate, but at the loſs of ſutch a peece he gapes ſo mutch after, but will never yeald to have it wrung from him without all the

opoſition he and law can make; nether will he conſidder the faythfull friendſhip yow have followed him with all, nor yow, I hope (when nothing will doe), will ſacrifece ſutch a morſell to his; but yet make not vſe of the axe that he may be vnexcuſable to God and man. While I am writting this, your packett came to my hands, with the letters from the King to the Biſhop of Cathnes and the towne of Jedburgh, which came in time for to morrow. I was howſoever going to Tividale to the burialls of Andro Kerr of Newhall or Fadenſide, rather Sir Thomas Kerr's vncle, and of the laird of Linton. I ſhall with the beſt advice I can, doe what that can doe, that the letter which concerns my Lord Jedburgh, ſuccead. I commit the ſucceſs to Him I only rely on in every thing, and not any thing I can doe of my ſelf or by mortall advice, for I muſt confeſs I take the opreſſion of the houſs of Pharniherſt mutch to harte. This is all I can write in this purpoſe, only in ane other I gott a letter latly from my Vncle[1] that tells me yow perſwade him to give over his place of *gen d'arme* to Andro Abernethy, whoe is now, att his father's earneſt deſire and his owne, taken himſelf to follow me, which I did not deſire, and told his father, becauſe he was my ſoe near kinſman, it would not be fitt he lived with me but like that: his anſwer (and I give yow his owne words), that "ſince God had honored, men ſhould not be aſhamed to doe the ſame." Therefore I think he intends not any more to goe abroad ſudainly, and his father ſayth, he hes a defluxion which made him leave off to goe to my Lord Buckleugh's companie to Holland. Now when this letter comes to your hands, by my Lord Grandizone, and ane of a former date by a ſervant of my Lord Lauderdalles, yow have all I have written in anſwer of yours ſince the 7th of this month.—I reſt, Sir, your moſt loving and moſt obedient Sonne, LOTHIANE.

NEUBATLE, the 27 September 1632.

[1] Thomas Kerr, ſon of William Kerr of Ancram. See a reference to him, page 1.

1632
December 20.

Sir Robert Kerr to the Earl of Lothian.

Your lettres I think now have all cumid to me, which yow mention, but ſo ὑστερον προτερον that this which I anſure heir came laſt to me which was firſt in your order: it is of the 24 of October, and ſhould have cumid with my Lord Traquair who ſhould have been one of the firſt of your Lords that are now cumd, and he was the very laſt. He was ſick, he ſayeth, and when I aſked him for a letter yow had mentiond ſent by him to me, he ſaid, he had haſted it away from him when he ſaw he could not cum with it himſelf, ſo as he could not remember by whom, but it came to me next day after this queſtion, and was delyvered by I know not who, layd in at my chamber. And becauſe it beginnis with your receiving my advyſe for building in Ancrame,[1] and what yow would do about the parkes, ſo farr as I can think on it for this tyme I will ſett it doun heir, expecting that yow will eyther do it juſt as I chalk for yow (becauſe I would have it donne to my fancy), or ells, yow will before yow goe ſo farr that it can not be altered, give me better reaſoun by your next letter. It is for yow that I do all I intend there; and I am glade that yow are aryved at ſo much vnderſtanding as to do as not of your ſelf as by my advyſe. Butt if I paye for it, take my counſell along with yow, and God bleſs and direct yow in all yow do. It was my cair to give it a new frame, for it was only caſt acording to the forme of that tyme wel aneugh, but ſo out of ſquare that I did lett the lower roomes decaye, having it always in my purpoſe to mend them; none of them being worth the keeping. But the Tower, which to beginne with, I would have yow for your preſent vſe, becauſe yow meane to ſommer there next yeare, God willing, to make the roome vnder the hall your

[1] Robert Kerr, ſecond ſon of Sir Andrew Kerr of Ferniehirſt, obtained the lands of Woodhead, etc., in Over Ancram, in feu-farm from the Monaſtery of Jedburgh, July 7, 1542. (*Regiſt. Mag. Sigill.* lib. 22, No. 350.) He was the "Foundar and Compleitar" of Ancram Houſe (*ſee* note, page 51), which his grandſon Sir Robert Kerr propoſed to alter in the manner ſo minutely detailed in the above letter.

ordinair eatting roome; not weakening the walls there, by ſtryking out new wyndowis, butt taking away the partitions, that all the 3 lights as theſe are, may meet in the center, and ſo yeild light aneugh, being only glas'd and keept as theye are, ſtrong in the out ſyde, becauſe the world may change agayn; and all the inſyde of the wyndowis lett them be enlarged doun to the floor with ſtepps or ſome handſome way, iff neid be payring the inſyde of the walls, or ſlopping them to the breadth to inlarge the light and ſo pave the floore and make a portall on the doore, and of the little place in the wall make a pantry or roome for the potts and glaſſes or cupps, or your plate, with a ſtrong doore.

Then ſmooth the ſtares with lyme, and glaiſe it all, enlarging the wyndowes on the inſyde, and ſloping them doune to the bottome, as the chamber I ſpoke firſt of, ſo to the topp of the ſtayres; and off that room above it, and is now the dyning room, make a fayre chamber, taking awaye theſe old long tables and put a round table only in it, which is to be vſed ſquare moſt tymes; but may be lett out round when yow pleaſe to eate there with ſome extraordinare frend. Yow have hangings anew, and ſtooles and chayres for it: in the chimney put an yron chimney; a round yrone chymney will be beſt for it, that men may ſit withe it, and therein burne your Lothian coales; and iff yow, for lack of roome, or your pleaſure, think fit to ſett a bedd in it, lett the head of it ſtand at that wall between the doore and the wyndow lookes into the cloſſe, which, thogh it be not a good place for a bedd, yet it is better then the other ſyde in my mynde, but in that vſe your fancy to have one or not, or ſett it where yow will. Take away the pavement ſtones, for they are vngracious vpon boords; and matt it, or rather new laye it with even and good boords. Laye theſe pavement ſtones on the roome below, where I would haue yow eate ordinarily, which will be both coole in ſommer and warmer in wynter, and fitter for that vſe as being neerer the ſeller and kitching.

The chamber above lett it be as it is; but laye the boordes better, and ſett but one bedd in it with the heade to the wall in the

mids of the chamber, and lett the partition ſtand to lodge a ſeruand on the other ſyde, with your traſh; for it is fitt to be your ordinary chamber, except yow will take [the other] to your ſelff, and keep it for a ſtranger. Of the wardrope alſo, by enlarging the hight of the walls, and makeing handſome lights, make a chamber with a chymney, and, if yow can, joyne it handſomely to the litle chamber on the top of the ſtayres, or of it yow may make a fyne cabinet for your bookes and papers, which is ſo neceſſary that it can not be wanting for a man that vnderſtands theſe things, and what it is to keepe any thing from the eyes and fingers of others.

By any meanes do not take away the battelment, as ſome gave me counſale to do, as Dalhouſſy your nyghtbour did, for that is the grace of the houſe, and makes it looke lyk a caſtle, and henc ſo nobleſte, as the other would make it looke lyke a peele.

Out of the ſeller below take awaye the meale cheſts and make it ſeller all, with a partition for a wyne ſeller in the inmoſt corner.

And of the pitt yow are to have good conſideration. My purpoſe was to joyne by it the building I was to make of the old hall, where I was to make eyther lodgings or a dyning roome with lodgings, and ſo from it having made a vault over the pitt to the ſole of the wyndow of the chamber vnder the hall in the touer to make a platt-forme to goe off theſe lodgings in the tower to the other, without goeing vpp and doun ſtairs and thorow the court; but a door to be ſtrukk out between the door of the lowermuſt chamber in the tower and the hall on the levell of that platforme, and ſo to goe along that way, and below that there ſhould be a paſſage doun theſe ſtayres of the pitt to paſs vnder that vault which makes the platforme to goe to the kitching; which I would have to be about the place where it and the brewhouſe are, but out of the ſquare of the court for ſuetnes and offence of ſmoke of the chymnyes to the tower, which is ſo highe above it that the ſmoke will cum now and then to the wyndows.

For from the kitching I meant to make a back court, on that even place of the garden behynde the laighe hall, wherin I would have the

elding to lye, peates, and wode, and broome, and rammell, and coales, and hene houſes, and all the meſuage of the houſe, which muſt be had, and there it is beſt out of the way: and from that a back gate to goe to the toun, without going round by the gate att the tower ſyde of the baſe court. I would have your ſtables all along in a row, but above all, firſt to make a fyne ſink, for he that beginis not with a ſink to lett away the rott filth of the horſe, will never be able to have it ſweet. Make, therefore, your great ſink there, and lett it runn doun vnder ground by a vault to the claye hol, and draw to that great ſinke all the leſſer ones from the ſellers and other lower roomes of the houſe. The droppe of the houſe, being but rayir, may runn above ground, and goe eyther that way and turne the other waye to the killing-bray.

In that tranſe or paſſage where now the pitt is, I would have yow make a draw well, both to furniſhe the house, iff at any tyme yow would keep it from nyghtbour feud, and ſo to furniſhe the kitching. It will alſo drayne the ſeller, which is ſubject to be full of vnder-watter ones a yeer. Butt iff yow think it will wett the ſtayres as the deruhall well doth, yow may putt it out of the tower beyond the brewhouſe, where my Mother began ones to make a draw welle.

Now for the kitching and brewhouſe, in what frame yow will caſt them I leave it to yow and the workmen; but whatever yow build, make it ſtrong and large, eſpecially where fyre is vſed, and that your chymneyes vent wel, for that is all in all of a chymney.

Now for the laighe hall building, I refer it to your pleaſure whither yow leave it as it is, being now rooff'd and new boorded, the walls being of lyme and ſtone, and the wyndowes maye be inlarged; but where it beginnes to be of ſtone and claye over the ſtable, that muſt be built new; and iff yow will turne over there before yow cum to the vnder chamber, becauſe it makes the court too long, and turns irregularly, I leave it to yow and your workmen. Butt I would quyte leave it out, and turne on an even ſquair, eyther with a gallery

and the gate to cum vnder it; and ſo on the other ſyde of the court (by tyme iff yow be fitt to build), perfyt the court with building on the other ſyde, as my father intended all his beſt lodgings of dyning roomes and chambers; or ells iff yow lyke better to lett the fore gate be built vpp as ones it was, and make a gallery with ſome lodgings on the other ſyde, becauſe all the bewty of the garden muſt be caſt that waye, and it lyes to the ſunne, which in Scotland is a mayne conſideration; and therfor (but that is to be donne when yow have more monye and leaſure) I would build on that ſyde the principall fyre roomes of my houſe, with a low hall, and the acceſſes in the faſhion of this country or France; and that to be kept ſweet for interteyning my frends at ſolemne tymes, a whole bodye of a lodging with back ſtaires, and eaſy lodgings to lodge a great man, and this to be joyn'd to the tower by a balcon or ſhip-gallery going about the tower to the entry above ſtayres, mentiond befor. For yow muſt alwayes remember never to weaken the tower, but leave it as ſtrong as yow can, to keepe in a miſter for a ſure ſtaying houſe, with the iron gate befor and another on the pitt door, and all the yron wyndowes kept in it. But yow are to make the beſt vſe of the preſent, and therefore keeping it to the beſt aduantage as it is, and for the ſhorteſt cutt and the leaſt charges, is eyther to eat in the high hall, makeing the chamber below it for your ſeruands, or a low dyning-room, or a warm wynter chamber, or dyne in the old hall, and the chamber within it for a withdrawing roome; and houſoever the rotten parte of claye over the ſtable yow muſt now build and make a back ſtairr doun where the meill ſellar was, or on the corner joyning it with the new chamber, making on that corner a cloſe ſtaires to ſerue both, becauſe the underchamber ſtayres goeth vpp utterally. And indeed betyme, iff yow keep that room ſtanding, becauſe of the vault, yow muſt or may by tyme alſo draw your gallery from it and the gate to cum vnder it, and ſo on a ſtraight levell not ſlopping vppuard as it doth now (becauſe the paſſage turned to the right hand, which is now quyte away), and ſo building another tower

lyke it, fett your fayr building, if ever I or yow do it, vpp from it towards the tower, and fo between it and the tower have your garden gate. And iff yow think it fit, a back paffage to the towne, juft forgaynft it, devyded with a wall from the garden on that fyde next the toun, and all that even fquare befyd the old hall made into a backe court for wod, peates, coales, ftables, landrys, and all fluttery to be hid from your principall court, which I would have paved.

Now for your vtter court and the approaches to your houfe, which are moft materiall; yow muft have a fpeciall regard to them, to make them fayre and eafye and noble and pleafand as the ground will afford, for yow muft not contract them now, but rather extend them to a forme futtable to your quality; nether is it to be donne all togither, butt as yow may overtake it, leaving alwayes place for a better refolution.

I would have that which is the vtter court now by the thorne and the dookat door, and all the old yaird, joynd together, and the dyke next the dowket taken away and the ground levelled, and all the hedge and trees, except thofe which goe about the dyke towards Gawns croft to the other dyke next to that which was called Gawin Trumbles croft, that is eafily donne by digging it, and carying the higheft pairt into the loweft, and, fo made even, draw one wall juft to the lyne of the corner of your building, where the gate of the houfe is, and fo by it, as far as the wall of your back court goeth, towards the toun green on the one fyde; and on the otherfyde of the old yard as the dyke goeth right vpp forgaynft the other; in the midft, at each end, a great gate to open with two leaves, the one gate to goe furth to the park, and the other to goe furth to the toun, that thofe that cum or goe from Edinburgh, or to Langnewton, or to Tweedfide, may cum in that way. And forgaynft the gate of your houfe, the thrid gate for your felff to goe to Jedbrugh or eaftward, or to Nether Ancrame and that waye, and all Gawen Trumbbils croft left for an vtter green for football; and on the burne vnder Gawne Trumbells houfe a low bridge to be made for a coach or cartes to

paſſe, and ſo the waye made broad and as eaſy as may be, ſloaping vp that bray on the yonder ſyde of the bridge towards the end of the way that goeth from Edinbrugh to Jedbrugh, and that which turnes doun the path towards Nether Ancrame to be made as broad as yow can conveniently, and caſſeyd to the water, for paſſengers to goe eaſily, and your owne horſes to goe to watter that waye, when yow would not lett any goe into the park to ſpoyle the graſſe or make it common. In this vtter green I would have George Karrs houſe tane quyte away, and Pate Wrights and Ninian Rutherfords and Mitchells, and all that ſyde, that this may be converted in a grate warde for horſes to goe in that cum with loads or erands from any place, or ſtrangers comon horſes whom yow would not admitt to your parke or ſtables, and may not ſtay, nor ther horſes faſt the whilſt; and heir to run at ring and glove, and play at football and theſe exerciſes which young men muſt have a place for, it being walld beyond the burne by the wayſide that goeth vpp from the watter.

On the other ſyde of this ward next to the toun I would have the wall of the garden goe doun on the vtmoſt ſyde of the Clay hole, by the high way ſyde, doun to William Ayres houſe corner, and ſo doun to the burne, and over it to joyne with the wall on the other ſyde that cums vpp from the watter ſyde. But it is to be firſt conſiddered, that before yow take away theſe houſes within the wall, yow ſatisfy them for there houſes and crofts and other land yow take from them within the faide warde, by putting them in other places as yow may beſt content them. This croft will be of ſingular vse and bewty to your houſe for the only nobleſt and eaſieſt paſſage, eſpecially when a bridge is putt over the burne, to have an eaſy waye to goe vpp to the way to Jedbrugh, and doun the path to Nether Ancrame, for the waye as it goeth now vpp the killing-bray is intollerable and alſo takes ſo much off the parke away. And before I leave it I would have yow take away ſo many of theſe trees which William my brother planted vnadvyſedly vnder Gawns croft, about the burne ſyde,

for I would have at leaſt ſo many of them tane away as may make a fayre broad alley on this ſyde the burne, to ryde doun that way to watter the horſes, and ſo that yow may gallop the horſes after the watter without goeing to the park for that vſe, and that muſt be had; alſo yow myght, by making a rayl on the topp of the bank above it, to keep men or beaſtes from falling over the heuche, will alſo make a good place to looke over and ſee running at glove, which is an exerciſe, thogh you care not for it nor no horſemanſhip, yett your ſucceſſors may, as wele as your father and your other predeceſſores did. For yow muſt make all things of bewty and ornament and vſe, not only for your ſelff but other folk; and I love to ſee a houſe not ſtraitted or minſed, but to have aneugh of roome in a large noble manner; nor is it all to be donne at ones, butt piece and piece, and to be diſpoſed to that effect as yow may overtake it. I am ſo carefull to have it ſo that I am the longer on this; for or it be donne it will cum to the volume of a booke, thogh it be but chalk and not ſheawes, iff God will give vs leave eyther of vs that hath donne greater things for vs, and iff wee dye by the way lett it be donne as they will who cum after. So to proceed, leave that pairt of the killing-bray that is right vnder the entry where the thornes are, and all the reſt of the bray, for the women to drye the cloathes and to bleech on, for that muſt be donne and the wells and watter ly beſt to it, and ſo make a ſloping paſſage to goe along from the park gate doun vnder the place where the old Schoole houſe was. For iff yow will keep a waye to go doun the braye to the parke, lett it be digd even and goe ſloaping firſt to the old ſcoole, and ſo turne to goe doun to the burne and ſo vpp into the path, before it goe to the watter; but it will be the moſt inconvenient and vnſeemly waye except yow would keep that waye thorow Gawns croft for hollye day, and ſometymes for your vſe or ſtrangers entrye from Jedbrugh.

For on that pairt of the bray from Thoms thorne doun vpon the edge of the bank and ryſing from a poynt lyke a triangle even vpp to the douecot, I would have yow make a high dyke or wall as highe as the park wall, and within plant a fayr orchard of the beſt fruits yow

can gett in the abbyes about yow; for that place is fitteſt for fruit of all the places about Ancram, as lyeing wele to the ſunn and vnder the north wynd, and ane excellent ſoyle for that purpoſe; make a walk vnder the doucot yarde dyke to walk vnder the north wynde within the orcharde, and then on eyther ſyde a fayr rowe of good fruit trees, with a gate at eyther end to go into it, and out to the reſt of the parke; and from it, as alſo from the long alley, and above it, extend that walk all along the bank heade to the litle bank, and on the topp off it too, till yow cum to the even ground that goeth to the kirk, and planting all the ſteep of the killing-brae with birkes and ony other ſortes of trees, be tymes it will be a pleaſant walk both for ſight and ſmell, and keep the haſells of the litle bank vndeſtroyed, for theye are the beſt and ayrlyeſt nuttes of all the countrye, eſpecially ſeeing yow have non neerer then Stokraughe, for I would have noe trees nor buſhes within the park. And iff yow pleaſe to draw that dyke yow ſpoak of from the Kirk bridge, ſo as all vnder it towards the watter may be haye, I lyke it wel, ſo yow make a convenient paſſage for the beaſts to gett watter, and men to goe to the watter above it, without there running over to Nether Ancrame corne, which would be compleet: indeed, iff yow agree with Mr. David Symmer, and ſo putt his kirkland into your parke, with a high wall round about it, it would compare then with an Engliſhe parke, and it hes ſo comd that it may be eaſily donne, for yow have ſtones on both ſydes off the watter anew, and it cumms jumpt to meet at the Catcraig forgaynſt it. But till yow gett it make the beſt of your oune, and by any meanes take in the Braidlaw, but thereon feid rather ſheep then any thing ells, except yow take in ſome of the holloues or even grounds of it between ſome of the knowes, and keep them as partitions to putt in colts or ſommer graſſe horſe, and ſome for ſtrangers, and ſome for caryages that will cum to yow every daye, and it is both thrift and bounty to have ſuch diviſions in plenty as yow may: for the Bradlaw yeelds many of theſe that may be mowed by tyme, and yet reſerue anew of the knowes and vnequall grounds for your ſheep walkes

from the watter ſyde to the highe waye that goes towards Langnewton; to which waye I would have yow make a gate behynd John Wrights, at the heade of his yaird, to goe in and out that waye, about by the back of the toun when yow would not goe thorow the toun. Butt be ſure at that gate to make a wall to ſtopp, that it goe not along within the Bradlaw park by the higheway ſyde, for there is a plott of the beſt land, and eveneſt, and fitteſt to mow of all the Braidlaw, that hollowes there be within the Braidlaw very fitt for partitions, to mow, or putt horſes or colts or cowes in, or what yow lyke. And then alſo I would have the Scaatan in ſo too, for it is but litle corn yow make off it to the commodity of ſheep, which would be of the beſt thryving of the country, and in a good quantity, taking for your yeeld ſheep the two wyndye edges, and all the Wodheid bounds beyond the burne that runnes from the moſſe to the broomebank and Gerſet-law. Sir, I would have yow labour nothing of the Wodheid with plewces, but on this ſyde the burn and the ſcauroods; for the reſt is barren ground not worth the ploweing, and excellent for ſheepe, or rather yeeld noult about the moſſe; for there abouts, and all the moor vp towards the Morhous-law, growes a rott gerſe, which I know full wele, for I have not forgotten a footſtep, nor a know, nor a buſhe of that bounds, and could wink and goe to it. And when yow gett Thomas away out of the Pallace Hill, yow may make better corne land vpp that way and about the Sandy ſtanes, joyning them in two litle demaynes; and forget not then to make the marche ſtraight vpp from the Heidlands to Gerſetlaw; and as I lyke wele that yow make all the haughes meadow vnder Hog-heuch moſſe, ſo I would have yow drayne the old meadow vnder Palacehill, and make it better haye, which I could do eaſily iff I were there. Wherever yow fynd a ſpring cutt it a litle channell to lett auay the watter, that it turne not to a bogg, and then both the bankes of it and all the ground about will be the better grafs; for many a good peece ground do wee loofe in Scotland for not ordering our ſprings and not encloſeing our grounds, wheroff an inche is worth an yard expoſed to all weathers

and common paſture; wherin iff yow will be induſtrious yow will gett honeſt, eaſy, pleaſing proffit, and wele content me when I ſee it.

For your wodd, I know that is ſo principall a peece of your thrift and care of that kynde that I need not mention it, it being a *ſine quo nihil;* and ſo the vſe of your moſſe is ſuch that yow can not want it, and ſo muſt keep it the better, leaving that old ill cuſtome of letting darges of it for a litle mony or wheat or ſheere darges; when yow are ſo needye that yow can not want that ſmall help, yow had better leaue Butt now that yow have theſe barronryes about it which I ſo much deſyrd, yow muſt diſporte your buſines in another manner, and make Ancrame and that which belonged to it the pryme plac and example to the reſt, as it is the cheeff, and yeelds so many different occaſions of ornament and poliſhing, which our people call pollicy; and among the reſt, as I told Whitebank your coſen, who is a very politique man, and a great pond maker, yow have at Ancrame toun-foote on the topp of the ſcoyres, on your right hand as yow goe to Farrington, a great lake very deepe, which yow may eyther putt pearches and other fiſhes to nouriſhe in it, or iff they will not live their, drayne it, and make a meadow of it, which yow may eaſily do by cutting a damm and a ſluce towards Ancram, bringing, iff yow will, the watter over the topp of the tower, where as now it ſervs to no vſe but to droun the cattle, not ſo much as to curle vpon. And what fyne wells yow have on Blakdan ſyde, to bring into your houſe by pypes thorow the burne, and in by Hobb Houds houſe. And whiles I ſpeake of fiſhe ponds, which is a moſt neceſſary thing, eſpecially in a place ſo farr from the ſea, below the brae within the parke between and the Bowebutts, there is wett ground or marſhe, which, cast into fyne ponds, and ſeparated, one at the end of another by ſluces, and all fedd with the ſtrype that rinns vnder the litle bank, and all iſſuing into the watter by the wells below where they fetch the well water to the place, will be very convenient and eaſily donne. I was about it when I was call'd away hither. Roll back the bigg ſtones that tumbled aff the killing-brae in to it; and if

yow will make a dyke where that dyke was, and ſo have the haughes to be a pairt of the meddow, as yow intend all the haughes to be, and that is the very beſt graſſe; and the partitions between the ponds will ſerue as bridges to bring away the hay, and it will be a very fyne proſpect when the ſheep bank above it is all planted with trees promiſcuouſly of all kynds, eſpecially birks for ſmell; and before I leave this place, remember that the ſtones out of the watter be layd on the watter ſyde, on the other ſyde between the parſones houſe and the coves of Nether Ancrame, which George Jhonſton built before, to ſave his corne from my horſes, but by the fooliſhnes of the Nether Ancrame men, who hated him, it was all throwne into the watter agayne. Such another yow muſt make between the Kirk and the coves vpp there, iff yow gett not Mr. David Seymers land to make the park ſo much bigger beyond the watter. Now to cum back to the orchard or garden, yow will have much adoe to make them very fyne; but the next beſt is to have aneugh off them, and where fruit trees will grow, plant them, but never plant a fruit tree where it will not grow wele, and where it can not be kept from pulling, by hedges ſeparatting it from the reſt of your garden. Never plant it where the north wynd cums to it—it is loſt labour—plant other trees there. Yett take away preſently theſe high trees which grow ſo neere the tower, by the back of the woman houſe, and there yow muſt make your garden, with walks from it to the doucat alleye, and ſo along the bank to your park, which is your cheeff garden and bewty. And as I wrote herrein a litle before, your aples and plooms and sum choyſe peares will grow beſt on the orchard yow are to make in the brae by a triangle vnder the doucat alley, ſo agayne wher the old balgreen was, between the dealtres in the midſt off it, peare trees will grow wele, wheroff feek out the beſt within Newbattle and Jedbrugh, and other places of renowne, and eyther plant or graſt the beſt. Now the orchard dyke muſt reach vpp from the balgreen to the cornyard dyke, and ſo doun by the end of the old byre, ſtraight doun, almoſt to the croſſe, leaving only the hollow waye hard by the croſſe (and a

litle vnder it towards the place), to be a waye for your teend and other ſledds to goe vpp to your barnyard, which is beſt where it is, and your barns for the ayre, and to be neere your park, to feed ſome beaſts with the haye and ſtraw from it. Then lett that orchard dyke goe ſtraight doun to Will. Ayres houſe, and ſo doun to the burne One of your vtter gates in to the place will enter in at it forgaynſt the mides of the old yaird end. Next to the dyke within the orchard plant rowes of playne trees in walkes, to keep the ſight of theſe that ſtand at the croſſe to looke into the orchard, or men as theye ryde doun the toun gate; and when it cums to the even of the orchard along towards the park, make long walks planted with trees, and in the ſight, in the midſt of it, plaic arbors or what yow will, variouſly as your fancy leads yow, or as yow are counſeld by ſuch as have ſkill. And in your orchard, wher yow may have mowing graſſe, or ſherring graſſe among the trees, never want it. Let the gardner's houſe be vpp above towards the byre, and in all that pairt of vnder the end of the byre, plant it with cherrye trees; for I have ſeen excellent cherryes grow there with litle caire, ſo as I know it will be an excellent cherry garden, which in Scotland is one of your beſt fruits where they are choyſed, and plant abondance of groſers and riſors and ſtrauberryes, and roſes and all flowers all over your orchard, for theye will grow wele in Ancram.

Now for that which is the very garden, which conſiſts of knolls, it will lye beſt and eveneſt round about the tower, and on the back ſyde next the towne will be on[e] of the beſt pairts of it when your wall is built croſſe from the nooke of the tower to the towne green; from thence your walks vnder the north all along the cherry garden, and ſo round about as the wall goeth by the parke.

And as I told yow I would have your barnes and byrs where they are, I would have yow draw a dyke between Andro Brouns kill and his houſe and them, and ſo the way furth there to turn wher Thom Buckholmer houſe was between Andro Brouns and Allen Sheels, and goe round about, behynd the Toun, or over the Braidlaw, and where yow

will that waye thorow your owne grounds without cumming thorow the Toune, wherof I would have yow digg the paſſages of the toune gate evenner for ſtrangers and cairts, and caſſey vpp the waye above the toun where the dirty holes are. And at the toun foote, by Will Ayres houſe and towards the burne, I would have yow make your malt barnes and ſteeps, both becauſe it would ſave yow bringing of watter ſo farr vpp on weemens heads or in barrells on ſladds, and then it is neere to the mill, and yow may ſo eaſily paſſe thorow the ward to it, makeing a long walk ſett with trees from the gate thorow where George Kerrs houſe ſtands, and ſo along within the walls; and digg vpp alſo all the cauſeyes about theſe houſes; place George Kerr and the reſt that dwell there vpp and doun the toun, ſome at Hobb Houds, and ſome at theſe houſes there abouts, others vpp at Thom Rutherfords or the toun heade, or where other decaying men be, put them in there houſes.

Yow ſhould do wele alſo to make your owne way to Edinbrugh inſteed of goeing vpp thorow the Toun to goe furth by Hobb Houdds, ſo mending the wayes in theſe hollow pathes beyond the burne to goe vpp Blackden ſyde to Lilliarts croſſe, and ſo be Melroſe or Drybrugh, which yow will. I would have yow alſo make ſtepps vpp behynd laird Grayes houſe or Ninian Moſcrops to goe vpp to walk ſometymes on Gregly Law, and there, iff yow make a bonfyre at any tyme, ſett it on there; for from thence it will be ſeen over all the country, and yow will ſee into your park and the Skaroods and moſt of the feelds, and all over the gardens and orchard.

Now for the Wodheid, I would have yow labour nothing but on this ſyde the burne, and ſo doing and labour it wele, leaving all the reſt for ſheep, hayning wel the wodd, keeping the haughes for haye; and becauſe I vnderſtand yow have putt Dods Williams man there, I will be the more perremptory with him to conſyne him to the ſhorter bounds; for I think he ſtole all that which makes him ſuch an vnder-taker from my brother William, when I truſted him with my eſtate, which hath been a praye to them all: now I hope yow will take a

better order, and gouerane it better. For the Skauroods I leave it to your better conſideration whither yow will lay it in to the Wodheed or labour it from Ancrame, or lay it in to the Skaw with the reſt to be graſſe; butt ſure the two Wyndy edges will be beſt for the ſheep, thereby to lett them feid till theye coum to the moore, which theye ſay is good for them.

I know not what I have forgotten, butt ſure I have written aneugh and too much; butt yow may chooſe whither yow reade it or not or do it; butt iff yow doubt of any pairt, or think another courſe better in any pairt of it or the whole, lett me know, by your anſueare whiche of it yow would do, and which not; and your reaſouns, feeing iff ever I cum to ſee it, and it be not to my content ſo long as I live, better leave it as it is, for the ſatisfaction off your loving Father,

S. Ro. Karr.

London, 20 December 1632.

There is one eſpeciall thing which I had almoſt forgotten, that yow make another litle bow to the Kirk bridge from the bridge to the churchyard, and rayſe the ſydes of the bridge higher for folkis going over without danger, and pave it to make it even, with ſtepps at the end, to keep that horſemen make it not a paſſage, for it was only ordaynd for foote folk.

1633 April 13.

Sir Patrick Hume[1] to Sir Robert Kerr.

Rycht Honorabill, I receved zour tuo letters, one dated Mart. 11, the uther from Franciſe Stuart dated April 5, of ſindrie ſubjects both tuo: the anſuers quhareof I remitt to meiting: Onlie I find difficultie on ethir ſyd quhat to choyſe or declyn quhen his Maieſtie

[1] Sir Patrick Hume of Polwarth was the eldeſt ſon of Sir Patrick, who died in 1609. His mother was Janet, daughter of Sir Thomas Kerr of Ferniehirſt, and ſiſter of Robert, Earl of Somerſet. He was created a baronet by Charles the Firſt in 1625, and died in April 1648.

paſſes by.[1] If I ſtay at Aitone I am not ſo weill prepared as I wold or fould be for ſuche a tym, and if I be *alibi* they will ſay I fled the houſe for the Kings way: My awn tenents heir ar moſt offendit to be left as maiſterles. If I be heir none but frindes will aſk for me, quho will be content to faire for a day as I do many quho wold have miſſing of me if I wer out of the way: God direct us alwayes in his rycht pathes. I wrote to zow before for a ſmalleſt volume of Greik New Teſtament of Henricus Stephanus print, bund in tua partes for my poket, quhilk I expect ze will bring with zour ſelf. I ſent zow a copie of the 139 Pſalm tranſlated be me in elegaike vers, bot ze ſent me not zour cenſure on it. Zow allege that I laughed at zour remembring me of death; if that letter be zet extant peruſe it agane, and ze will find my reſolutione moſt lyk zour awn; but I willed zow not apprehend of zour awn age as paſt mid vnder even tym with zow, althocht with me *ſol declinans creſcentes duplicat vmbras* much neirer the reſt which zow bid me not contemne. Cicero his firſt buke of Tuſculane Queſtiones is *de contemnenda morte*, and a poete ſays *Vir fœlix ſummum nec metuit diem, nec optat;* but ſuch as ar in Chriſt deſyres to be with him, eſpetiallie having run thair raſe with patience, and foughten a gude fyght of fayth, the ancore of quhois hope is fixed in heaven. Thare ar degries and meaſures of gifts, I grant; ſome more, ſome leſs heir: but ther all ſall be compleit: *Nunc ex parte, tunc in plenitudine;* and therſore we not onlie have patience, but alſo do rejoyſe in tribulationes, not ſuffering as ill-doers, but through fayth in a gude conſcience, quhilk we ſtudie to keep ſaiſ from *naufrage*, be his grace which is ſufficient for us. I wes valetudinarie and ill trubled with cold and cogh all this Marche; but now convaleſced (thankes be to God), but not ſo fitt for actione as neid requyres: And tharefore muſt learne patience vnder croſſes, amangs which that is noch leaſt which zow obſcurelie wrote in the

[1] Charles the Firſt viſited Scotland in 1633, for the firſt time after his ſucceſſion to the throne, leaving London on the 17th of May, and making his public entry into Edinburgh on the 15th of June.

end of zour letter, and Mr. Francis ſchew me more planelie: I find not zet that ſatisfactione of my ſone as I crave, and other frindes wiſches, but no frind is ſo grived as my ſelf: *Dilegentis Deum omnia vertentur in bonum, etiam ipſum peccatum:* his moſt excuſe is lake of maintenance, quhilk he neids not to feare quhen I live, and efter he knowes his portione that he hes rycht vnto, and I hope zour ſelf and other frindes will do him gude as he caries himſelf: I vnderſtand he hes written to zow with Mr. John Wemis, quho will ſchaw zow more then I can now: Thus my beſt wiſches remembred to zow and all zouris, I reſt zour vere loving Brother to be commandit, S. Pat. Hume.

Aitone, April 13, 1633.

To my much honored brother,
Sir Robert Karr of Ancrome, knycht.

1633 September 6.

The Earl of Lothian to the Earl of Ancram.[1]

My Lord, I would not miſs this occaſion of the Clerk Regiſter, although I have nothing to write concerning any buſines. I have written ſoe often, but I have not gotten any from yow ſince yow went hence. I beſeach yow haſt me anſueare to that I wrote in my Lord Roxburghe's companie, for the terme approaches, ſoe that if that way or ſome other better, I put it not aff (and it is but ane aff-putting) my creditt wilbe in danger. I got yeſternight a letter from a ſervand of my Lord Gray of Chillinghame, for the quarters rent of Heddin from May laſt to Lambmaſs. He tells me alſo there is a new condition betwixt yow and his Lord for Heddin and Confrouth, and ſomething of the plea field, which I conceive not for the rent of fyfty

[1] Sir Robert Kerr was created Earl of Ancram, Lord Kerr of Niſbet, Langnewtoun, and Dolphingſtoun, 24th June 1633.

pounds by year, and that it begun att Lambmaſs, for there wilbe a quarter's rent dew before yow get any benifite of the lands. Therefore let me know, that I may take courſe to ſett the land, or that yow have apoynted ſome body els to looke to it.

Yeſternight it pleaſed God my wife was brought to bed of ane other daughter, which on Sunday, God willing, I intend ſhalbe baptized, and I meane to give her my mother's name.[1] This is all I can write att this tyme: I reſt, my Lord, your moſt lovinge and moſt obedient Sonne, LOTHIANE.

NEUBATLE, the 6 September 1633.

To the right honorable
my very good Lord the Erle of Ancrame,
gentleman of his Majeſtie's bedchamber att Court.

The EARL OF LOTHIAN to the EARL OF ANCRAM. [1634 January.]

MY LORD, This packett I thought ſhould have come with ſome of my Lord Treſorers[2] ſervands; but when I knew of this gentleman, certainly I choſe to ſend it with him whom againe I intreate your Lordſhip for that yow wilbe pleaſed to gett him made Knight. For the matter of your penſion:[3] this day when I was with my Lord Treſorer I have gott nothing but coldly that it ſhalbe one of the firſt he ſhall take order with, but ſince I have gotten noe precept I looke not for it in haſt; therfore yow wilbe pleaſed to deale earneſtly for it, and if it be poſſible to gett a precept vpon the Chamberlane of Fife, James Kinninmonth, whom I hope ſoe to deale with-all, giving

[1] Elizabeth Murray. This daughter, Lady Elizabeth Kerr, was afterwards married to John, Lord Borthwick. [2] The Earl of Morton.

[3] A penſion was granted to Sir Robert Kerr "of £2400 Scots, out of the firſt of His Majeſty's cuſtoms, rents, and caſualities of the Kingdom of Scotland," December 24, 1616. (*Regiſt. Secr. Sigill.*, lib. 85, fol. 277.)

him parte of it, that I thinke to gett payment ſeaſonably; otherways I hope not for it to doe any terme buſſines, and I never had ſoe mutch to doe. Houſoever lett me knowe what I may expect as ſoone as may be, that I may doe the next beſt. But I am aſeard without this help, and by my Lord Sommerſett for his leave it wilbe vnpoſſible to keape my credite att this tyme.

I ſend vp alſo att this tyme the contract[1] betwixt his Majeſtie and me, docked by the Advocatte,[2] which I ſynde my Lord Treſorer thinkes the Kyng will make difficultie to ſigne. But I thinke I make the ſarre worſe bargaine that quits 800 lib Scotts by yeare for the naked ſuperioritie of Neubattle, and pay beſides blanch deuties which I can ſee noe reaſone for; yow wil be pleaſed to give it my Lord Treſorer to looke on, before yow ſpeake the Kyng in't, and deſire my Lord to preſent it. But if he thinke the Advocatte hath not conceaved it anough for the Kyng's advantage, rather lett it never be donne then it ſhould doe that good kynd friend of yours any prejudice: nor doe I know nether why it ſhould, ſince he doth but drawe it vp by my information; and if my Lord Treſorer thinks his Majeſtie ought not to give it in the termes conceived, it is his parte to looke to that. This I write becauſe ſometimes my Lord and the Advocatt are not in good termes, and I had rather want that and my contentment by it, then that the Advocatt ſhould gett the leaſt checke for me; and this is all I can write in any purpoſe att this tyme. I reſt, my lord, your moſt loving and moſt obedient Sonne, LOTHIAN.

[1634 February.]

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, Yow wilbe pleaſed to excuſe this ſhorte ill-favored paper; but I ſend this to tell your Lordſhip that the contract I wrote in my greate letter ſhould come with this bearer; now my Lord

[1] A charter was granted to the Earl of Lothian, of the Lands, Barony, and Earldom of Lothian, March 1, 1634. (*Regiſt. Mag. Sigill.*, lib. 54, no. 332.)

[2] Sir Thomas Hope of Craighall.

Treſorer hath inſtantly ſent for it, from whom I come inſtantly, and he is better pleaſed with it then he was in the morning, and he hath given me more ſatisfaction concerning your penſion, which I pray your Lordſhip leave not off for all that, to ſolicite and make ſure. Inquire at my Lord for the contract whoe ſhowe it yow, and pacifie, if it be poſſible, Doctor Caſs.—I reſt in haſt, your moſt loving and moſt obedient Sonne,

LOTHIAN.

To the right honorable
my very good Lord the Erle of Ancrame,
Gentleman of his Majeſtie's bedchamber.

The EARL OF LOTHIAN to the EARL OF ANCRAM. 1634 February 26.

MY LORD, On Fryday laſt the 21, I receaved your letters by Anthony Allexander,[1] and the writts wherin nothing was ommitted in the formalitie, and I gave them inſtantly into the Exchequer and delivered your letters; but that day nothing was donne in them, becauſe it is ane order that nothing paſs, till firſt a whole weake togither the contents of all ſignatures be written on a table hings in the Exchequer Houſs, that nothing paſs to the prejudice of any ſubject. Soe I expect next Satterday they will paſs, and I am heare for it, and to ſolicite that the deutie for the houſs and for the patronages be as eaſſy as may be; for the other deuties they fett them ſelwes.

Now, my Lord, I cannot forgett to tell yow how extraordinarie ane act I thinke this yow have donne to me is; nor do I thinke there are manie examples of it, to give ſoe mutch away in your owne time without conſideration of your other children.[2] Beleive me, if yow had

[1] The ſecond ſon of Sir William Alexander, Earl of Stirling. He was Maſter of Works in Scotland. He died at London in 1637.

[2] On the marriage of Sir William Kerr with the Lady Anne Kerr, Counteſs of Lothian, Sir Robert Kerr "redeamed the lofs of Newbottle out of ther hands who had compryſed the ſame for the late Erlis debts, and by adding his own eſtait to it, and other competent meanes made it capable of the former dignitie."—(*Letter from the King to the Privy Council*, October 28, 1631.)

never donne any thing for me before (as yow have always donne extraordinarily), yet this is more then I ever could have deſerved, but I can doe noe more but acknowledge it deutifully and thankefully, and that I doe in ane extraordinarie meaſure.

There is nothing I can anſweare further to your letter, but for Marke Caſs,[1] whoe ſayes all theſe procutaries were very neſceſarie. Nether will they be any greatt charge, and that theſe things yow wrote for are gone from hence long ſince (nor could I gett them ſooner). God ſave the people in the ſhipp from the danger of the extraordinarie wynds we have had, and continues ſtill. Your ſecond letter brought only a letter of my Lord Bothwells, but the note Mr. William Kerr gave him would have beane more vſefull to me. But I ſhall deſire him to give it me againe, and this purpoſe and Jhon Kerr's wife whoe went inſtantly from me, makes me that againe I muſt deſire that protectione for one yeare more, nether ſhall I deſire it any more. I ſend heare incloſed the note of theſe things George Fairley furneſht for me, which yow bid me ſend to yow when yow went from hence. I had ſent it already, and a particular note of the charge I was att in my houſe when the King was heare,[2] which yow deſired; alſo I had ſent a copie drawne aff the principall note with the boy was loſt. Now I find it and the ſumme in generall of the other which I ſhall ſend particularly [along with] the booke of my houſhold weaklie expenſes. This greate packet is from James Douglas his wife, and ſhe forces me to ſend to yow continually. I have not been able to doe her any good heare, and therfore ſhe ſends to yow to trie what can be done if ſhe gett a precept. Now my Lord Traquair is with yow, put him to it for your penſion. I gett

[1] Mark Caſs of Cockpen ſeems to have acted as factor or manager for the Earl of Lothian at Newbattle. There are many of his letters preſerved, but all upon matters of buſineſs, and containing nothing of general intereſt.

[2] Charles the Firſt was entertained at Dalkeith by the Earl of Morton, previous to his entering the Scottish capital in June 1633, and had probably viſited Newbattle at that time.

only good words. This is all I can write at this tyme.—I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIANE.

EDINBURGH, the 26 February 1634.

To the right honorable
my very good Lord the Erle of Ancrame,
Gentleman of his Majeſties bedchamber att Court.

The EARL OF LOTHIAN to the EARL OF ANCRAM. 1634 March 7.

MY LORD, I have lately written by my vncle, Captain Murray, of the receipt of your letters with the ſignatures;[1] but then I could only write that they were come. Now they are paſs'd in Exchecker with mutch favor from all the Lords, and the compoſition gratis; they are now paſſing the Sealles, which wilbe falter. The few deuty of the houſſe of Newbatle is ten merks, the patronage as mutch, and that of Coxpen twentie; and in this buſines I can not forget to tell yow how kynd I found my Lord Hadinton, which he expreſſed alſo to myſelf when I delivered your letter, and to Marke Caſs, when he went to give him ane account why Ancrame Spitle and the Woodheade were contained in the ſignature, and I thinke if Ancrame had beene alſo, he would have conſented. Yeſternight all differences in the ſecuritie for Crafoordmoore were reconſiled, and I am going inſtantly to ſubſcrive and to receave ſecuritie for the money. It will come to yow with the firſt occaſion to ſubſcribe alſo, and I have promiſed the Marquiſs that yow will aſſiſt to gett his infeftment paſſed in the manner he deſires, which I know will not be granted (for he deſires that it may be ſtill held blench, which is againſt the Act of Parlament); but if yow deſire it and aſſiſt my Lord Sterling,[2] in whom

[1] On the 1ſt of March 1634, William, Earl of Lothian, received a charter of the Lands, Barony, and Earldom of Lothian, under the Great Seal.—(*Reg. Mag. Sig.*, lib. 54, No. 332).

[2] Sir William Alexander of Menſtrie was introduced to the Court of James VI. by Prince Henry, and received the office of Maſter of Requeſts. He was appointed

he relies, it will free me. This is all this haſtie occaſion will give leave to write, and I have noe other purpoſe that I remember.—I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIANE.

EDINBURGH, the 7 March 1634.

When I was ready to cloſe this letter, James Douglaſs his wife came to me and ſayd ſhe had beane ſpeaking my Lord Morton for that is dew to her, whoe told her he was very wiling to pay if he might have ane warrand, and this ſhe thinks is eaſy, and would needs have me write it to yow. With my vncle yow will receve her letters, and what ſhe deſires more particularly; yet, before yow ſpeake to the King in't, becauſe my Lord Mortone is to come vp ſhortly, I thinke it would not be amiſs to know of him ſelf if he have ſayd ſo much.

To the right honorable
my very good Lord the Erle of Ancrame,
Gentleman of his Majeſtie's bedchamber at Court.

1634 March 7.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I wrote to yow this morning by Mr. Robert Bruce that I was going to ſubſcribe the contract with the Marquiſs Douglaſs.[1] Now I have donne it, and by the ſame occaſion I ſend it vpp to be ſubſcribed by yow. Ther is ane other alſo which ſhall come vpp with ſome other occaſion, becauſe we will not venter them bothe for

Secretary of State in 1626; admitted as an Extraordinary Lord of Seſſion July 28, 1631; created Viſcount of Stirling and Lord Alexander of Tullibody, September 4, 1630; and Earl of Stirling and Viſcount of Canada, June 14, 1633.

[1] Sir William Douglas, feventeenth Earl of Angus, was created Marquis of Douglas, June 1633.

loſing att one time. Yow wilbe pleas'd to ſend it backe with this ſame, or ſome other ſure occaſion, and as ſoone as can be the better, becauſe of the infeftments the Marquifs is to paſs. I have receaved band of 32,000 and five hundreth merkes to be payed att Whitſunday. This is all I can write att this tyme.—I reſt, my Lord, your moſt loving and moſt obedient Sonne,

LOTHIANE.

EDINBURGH, the 7 March 1634.

It muſt be ſubſcrived before three or four wittneſſes, and the date and witneſſes names inſert with your owne hand.

To the right honorable
my very good Lord the Erle of Ancrame,
Gentleman of his Majeſtie's bedchamber att Court.

LADY BALMERINOCH to the EARL OF ANCRAM. [1635 March.]

IT ver to tedius, my noble Lord and Couſin, to make a reherſel of all the paſages of thes beſenes quilk hes bein caryt efter ſik a form as I think neuer the lyk hes bien put in practis to the view of all the warld, for there violens that gouerns all, volle doe quhat they liſt, not that I am dutfull of his Majeſty's clemenſy, or that he vald for a varld doe anything in prejudis of his lyf or eſtet; bot conſederin the malis of our enemis, I vald vis that our frinds and velvillers ſuld be the mair vatchfoll. It mey be his Majeſty hes not bein truly enformet of my hiſbend's ofer to hef ſubmeted hes lyf to his Majeſty lang or it came thes far, and vith a confeſſione of a greter fate then the law hes mede hem gilte of, as they can tell that had the beſenes in truſt, if they ples.[1] I ves clos priſoner vith my huſbend

[1] Lord Balmerinoch, with other noblemen, oppoſed in Parliament, in 1633, an act eſtabliſhing the royal prerogative of impoſing apparel on churchmen. They thereby much incenſed the King, and a petition was prepared, to explain their oppoſition and obtain if poſſible a ſuſpenſion in the operation of the articles from which they diſſented. It was

quhen his brother ſent vp ther Couſin Michel to your Lordſhip. It hes pleſit the Cunſell to gif me ſum liberty, and vpon the firſt occaſion I vret thir lyns. I neid not relet my preſent eſtet; I knaw ye are very ſenſible of it, the ſtory of my lyf hes bien very tragecall, bot I take it fray the hand of my lowing Father, quhas mercis endur for euer.

I hef draun vp thes petitione for the Quin's Majeſty; I durſt not preſume to ſuplicat the King's Majeſty, bicas I thocht in myſelf thes vay vald hef moſt fors. Gif ye think it fitt, make the adres in the beſt vay ye pleis. Thes that preſents it vald lat her Ma. knaw that I am a borne Frenſhoman,[1] that it may moue her to more pity. Ther is no fleſh knows of my fenden vp this petiſion, and therfor kipe it clos till it get a gude anſer, for beſide the honor of her Ma. fauor, I had rather be obliſt to her Majeſty then to my perſecuters, quha I may ſay hes perſecut me vithout a cauſe. Lat this letre be ſhane to my Lo. my brother,[2] for I hef no laſer to vret to hem, bicas of my Lo. Alexandrs heſty perten, quilk I knew not befor this morning, and I had no other think to vret bot doleances and griefs. So, vith my ernes viſhes for all hapenes to yow both, eſpeken a gud ſucces from God Almichty, I ſhall euer remene your Lo. lowing Couſine to my death,

Anna Ker.

[March 1635.]

not, however, preſented, but Lord Balmerinoch retained a copy, making ſome alterations on it with his own hand. This being communicated by the Archbiſhop of St. Andrews to the King, he was cited to appear on the 11th June 1634, and having been examined, was committed to Edinburgh Caſtle. Here he remained till his trial on the 3d December 1634, when, by a majority of eight to ſeven, he was convicted and condemned to death. His execution was, however, ſuſpended, "until his Majeſty's pleaſure might be ſhown." Great efforts were made by his friends for his pardon, but it was not till November 1635 that he was ſet at liberty.

[1] Sir Thomas Ker of Ferniehirſt, her father, was, for his devotion to the cauſe of Queen Mary, and the efforts he made in her behalf "exiled and forfaulted" in 1571. He was recalled from exile in 1579, and reſtored to his eſtates in 1581.

[2] Robert Kerr, Earl of Somerſet.

Petition from Lady Balmerinoch to Henrietta Maria, Queen of Charles I., in behalf of her Husband.

[1635] March.

Madame, Il plaira à voſtre Ma^tie^ de pardoner la preſumptione de voſtre treſhumble Suppliante, laquelle n'a autre ambition que d'implorer voſtre gracieux compaſſione au regard de l'eſtat préſent de mi Lord Balmerino, mon mari, qui par vn grand malheur depuis quelqez temps a eſté rendu obnoxieux au déplaiſir de ſa Ma^tie^ Sacrée, et apres vne longue captiuité, maintenant a eſté fait coulpable d'vne crime capitale, et ainſy rendu incapable en ſon propre nom d'implorer la miſericorde de ſa Ma^tie^ Royale. Ce n'eſt point mon intenſion d'extenuer ſa faute, ny d'aggrauer ſes ſoufrances paſſées; ma ſeule et treſhumble ſupplication eſtant qu'il plairoit a voſtre Ma^tie^ de ſa grace accouſtumée de lui procurer pardon d'vn Prince ſi clement et gracieux, et vne remiſſion royale pour ceſt offence qui à rendu ſa vie ſubjecte a la loy. Je vous aſſure, Madame, que ce n'eſt pas aucune défiance de la clémence de ſa Ma^te^ Sacrée que me fait implorer la médiatione de voſtre Ma^tie^ pour ſa miſericorde, mais pluſtot ma confience treſhumble en voſtre affection ſi tendre, et le ſentiment des ſoufrances de voſtre ſeruante tant affligée en vn tel cas que je ne pourroy exprimer à voſtre Ma^tie^ autrement que par des larmes et triſteſſe extrême, et par mes treſhumbles prières pour l'accroiſſement a jamais de tout honneur et bonheur à Son Ma^tie^ Royale, à voſtre perſone ſacrée, et à voſtre poſterité heureuſe, ſelon le tres affectioné deuoir et vœux de celle qui eſt à v^re^ Ma^tie^ la treſhumble et plus affligée ſupliante et ſervante,

Anne Carre.

[1635] March 17.

LADY BALMERINOCH to the EARL OF ANCRAM.

MY LORD AND LOWING COUSIN, Heueng the gud occaſion of this berer heir, quher neceſſer afairs hes brocht me, I reſoluet to vret agen to your Lo. to onderſtand quhat ve mey expek of my hiſband's buſineſs at Courte; for I long very much to heir fray your Lo. of that propos; and vald erneſly intret your Lo. to be frie vith me, and lat me knaw quhat mey be expeket, and quhat your Lo. and other frinds vald aduys vs to doe for ourſelfs; bicas till the King's anfer be had to the ſuplicaſion ve canot reſolue vpon any courſe, and gif ther be nothing bot delays, I volle requeſt your Lo. to dele fekfully vith my brother to tak preſent order vith Will. Dek's[1] money, that it be no more hafard and trouble to his frinds vith loſs to himſelf, and gif my hiſbend gett not liberty to attend his aune afairs, I pray your Lo. at leaſt to get a letre fray the King to the Seſſion agen the begeneng of Juine conmanden them to contino any proces agens him duren his conſyne, that howſoeuer he ſoufre from the King, he mey not be mede a prey to others. As I hef euer fund your Lo. fauor, ſo I wolle ſtil reſt vpon it, and remene, your Lo. louing Couſine to my deth,

ANNA KER.

EDR. xvij Mars.

To my veray honorable gud Lord the Erle of Ancrame, etc.

[1] The perſon here mentioned was William Dick, a merchant burgeſs of Edinburgh, who, from his own wealth and his influence with others, obtained the advance of large ſums of money on behalf of the public ſervice. He was elected Lord Provoſt in 1638 and 1639; and was knighted by Charles the Firſt about 1642. The Parliament, in 1646, acknowledged him as a public creditor for a clear balance of £34,000 ſterling, a large ſum in thoſe days, of which it appears he only received, with ſome difficulty, £1000. His own creditors, in London, afterwards caſt him into priſon, where he died at Weſtminſter, in great want, December 19, 1655, aged 75. His family, half-a-century later, continued to urge his claims.

The Earl of Lothian to the Earl of Ancram. 1636 March 16.

My Lord, I have receaved letters by Neutoune from yow, but have never till now had occaſion or tyme to write in anſweare of them, although it be 8 days ſince my Lady Lothiane went from hence towards London, and your ſervand Allexander Cockburne in her companie; but ſhee gave me ſoe ſhorte warning, that I could not write by her, becauſe ſhee came to Neubatle in the morning when ſhee was on her way, and ſtayed not ane quarter of ane houer; and Allexander, except that I knew ſince he came doune laſt that he was to goe vp againe, never told me, nor was he att Neubatle of 8 days before he went away, nether then did I ſee him, or tooke he his leave of me, or ſpoke to me; ſoe till now by Robert Kerr of Plough-of-land have I not had any occaſion, nether will I write att that length that I will ſhortlie by Marke Caſs, whoe comes away within ten days; then yow ſhall heare in everything att length, and have particular account of all yow deſire. Lett this ſerve then till that tyme, and that yow may knowe my wife was brought to bed of a ſonne vpon the 8 of this month, and yeſterday he gott your name.[1] He is lively anough yett, and ſhee is yett very weake. If the letter I receaved laſt had beene by me, I would have anſweared ſomething to it; but I was called in haſtilie to-day to declare ſomething was arreiſted in my hands, and is perſewed aganis me for Mr. Niccoll Bannatine's ſonne, to whom I am tutor teſtamentar. By the next occaſion I ſhall make amends for the litle purpoſe of this letter.—I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

Lothiane.

Edinburgh, 16 March 1636.

To my very good Lord the Erle of Ancrame, etc.

[1] This was his eldeſt ſon Robert, who ſucceeded as fourth Earl of Lothian, and upon his uncle's death as third Earl of Ancram. He was created Marquis of Lothian, Viſcount of Briene, etc., June 23, 1701.

1637 April 5.

The Earl of Lothian to the Earl of Ancram.

My Lord, I wrote already by Jhon Murray, and that was very ſhorte. This will come as ſoone, for then I was not reſolved in all the poynts of this. Now firſt, your Lordſhip ſhall knowe that ſeing I could gett noe conſiderable ſatisfaction from my Lord Binning[1] for my clame to the Abacy of Jedburgh (wherin I can not nether blame him, for I found him in it, as he is in every thing, courteouſe and diſcreet; but his father would not give him leave to doe that, that I am perſuaded otherways he would have donne, and ſoe he ingenuouſly told me himſelf, and I beleave it). Therfore I offerd to buy the whole; for although I had once good offers made by Lord Hadinton, yett he went backe of that againe, and would give me noe reaſone for it, but made me new offers againe, which were, your ſuperioritie of the toune of Ancrame (for the houſe and reſt holds alreadie of the Kyng), and a right of that land off Belcis which I bought (for he ſayd the right was not good), and the Plough-of-land of Niſbett's. Theſe two laſt, and the Gatthouſſcott which my vncle hes held of himſelf; with-all he would for this laſt have had from Sir Thomas[2] 1200 merks of compoſition. This was ſoe farre from his firſt offer, that I would none of it. Soe all treating was given vp. But next day he ſent one of his ſervands to me to tell me, ſince I refuſed his offers, that he was reſolved to make his beſt of theſe things he had offered me. Therefore he advertiſed me that he would ſell the Gathouſſcott, and vnles Sir Thomas would give him 6000 merks for it, he would lett ane other have itt; and to conclude, he put Sir Thomas ſoe to it, that he was forced to agree with him for it, which he did for 5500 merks. When I ſaw therfore that he was ſtill in his conditions to me worſs and worſs, I reſolved to buy all; and ſoe, after many

[1] The eldeſt ſon of the Earl of Haddington.

[2] Sir Thomas Kerr of Kedden, brother of the Earl of Ancram, was knighted at his creation in 1633.—(*Balfour's Annals*, vol. iv. p. 366.)

meattings, he gave me this rentall which I ſend yow, for the which I give him 36,000 merks. But to ſatisfie his father the band muſt containe 42,000 merks, becauſe it anſwears to this rentall; but he privatly gives me aſſurance for the 6000 merks in difference. Thuſs have I beane forced to be a purchaſer whoe ſhould rather ſell; but I hope to make neare the annuall of my money in this bargaine, beſide the ſuperiorities, which are manye and conſidderable, which yow ſhall knowe next occaſſion, only theſe about Ancrame I will ſett doun, which are the whole barrouny of Belcis and Reperlaw and the Firth, beſides all the burgeſſes in Jedburgh almoſt hold ether more or leſs of it, and the barrouny of Vlſton and Windinlaw, and abott of Roule, and many of my Lord Sommerſett's lands, and ſome gentlemen, Clydſdale alſo. This is in generall. The particulars ſhall come in every poynt, and all the waſſall names and holdings, when the bargaine is ended, which is now in writting, only this mutch att this tyme. I have noe diſreputation in this bairgaine, and I have a greate increaſe of command by it in Tividale, and I hope it ſhalbe proffitable alſo. Therfore conſidder the rentall, and lett me knowe what your Lordſhip thinks of it. The next, howe to pay for it, and to take courſs at this terme with other ſumms alſo, which I muſt doe, nor knowe I yett of any thing to doe it withall, but of 10,000 merks from my Lord Roxburgh wherof yett nether am I certaine, becauſe I have not yett heard from yow ſince I wrote in that particular, and ſent vp writts by my Lord Lorne for yow to ſubſcrybe. I pray your Lordſhip haſt then doune and aſſiſt me att this tyme, for I never had ſoe mutch to doe; for beſide this to my Lord Binning, I muſt pay, as I wrote to yow alreadie, the 5000 merks yow were owing for Sir George Douglaſs to the Colledge of Glaſgow (wherof remmember his ſonne James); next 9000 merks to Captain Paplay's heirs, for that and more it is nowe with the annual rents; and 1000 merks to Mr. David Simmer; 2000 merks to Mr. John Galway; and 2000 merks to one Oſwald. All theſe have beane theſe 20 years dewe, and now they will want them noe longer, ſoe this wilbe 19 or 20,000 merks by the 36,000

merks to my Lord Binning, and howe will I be able to doe this? Therfore I beſeach your Lordſhip thinke ſeriouſly on it, and gett the reſt of your penſion, which wilbe yet 11,000 merks. This, and 10,000 merks from my Lord Roxburgh will make 21,000 merks, and it may be 6 or 7000 merks be gotten for your wood if yow be content to ſell it, and which I would faine ſave. Soe this altogither may make 28,000 merks, ſoe there wilbe yett behynde as mutch more, which, if yow could perſwade my Lord Sommerſett to advance vpon Dophiſton till ane account were made with him for his teands, which will come to a good ſumme to buy, and for arrearages, and till the price of that land were made by any he will truſt heare, and which is forfitt for him. If this take not, or that your Lordſhip lett me ſee ſome other help, I wilbe forced to quite all, and caſt doune that I have beane with mutch difficultie building, and that ſoe convenient, I meane for your eſtate in Tividale, which is worth the having, and now mutch the nobler of this addition of Jedburgh, which ſuperiorities come not within the compaſs of the Revocation; and this I againe deſire your Lordſhip to thinke on, and lett me heare from yow as ſoone as may be, for the terme aproaches, and if it take me vnprepared, it will ruine and diſhonor me. The next buſines is concerning my ſuperiorities of Neubattle, wherof in my Lord Treſorers[1] companie there comes ane contract to gett the Kyng's hand to, whereby yow will ſee how I value them by the rate I purchaſe them att; only I deſire your Lordſhip worke your Doctor Caſs to make noe buſſines, but to conſent; for he raills on his brother, and he conjures me heare for feare of his brother, to whom he is obnoxious for the money he hath on Coxpen that I would leave out his nephew ſuperioritie (which I will nott); therfore I ſee, becauſe Marke is vſefull to me in my affairs, would have things with there conſent, and I ſhall doe that to them in there teand ſhalbe mutch more to there advantadge then the difference of the holding. But if nothing will

[1] The Earl of Traquair was appointed Lord Treaſurer in 1635.

doe I muſt beare the ſeade rather then goe from that purpoſe; and ſoe mutch for this: the concluſion this other litle paper will containe, which is, that yow gett aſſurance of my Lord Treſorer for the elleaven thouſand merks is reſtinge of your penſſion, vnleſs by ſome other tickett I write att this time that I have gotten aſſurance for it. If noe other advertiſment come then this, make accompt that I leave it to your Lordſhip to ſolicite. I ſhall doe nowe before he come awaye to morrowe, what I can, and I am ſure I take all the ways can be, to be in his favor. For the laſt letter I receaved from you, it had noe purpoſe to anſweare in't, but concerning your coales, which are ether att yow erre nowe, or caſt away. For lentten proviſions I ſent none, becauſe I hearde not yow deſired any till this laſt letter, which came too late. This is all I can thinke on att this tyme. I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

EDINBURGH, the 5 of Aprile 1637.

Your Lordſhip wilbe pleaſ'd to make give this watch to mend, which ſtands ſometymes by I knowe not whatt knock.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1637 October 29.

MY LORD, I have, ſince I wrote any, receaved three letters from your Lordſhip of ſeverall dates (the 24 September, and the 3 and 8 October), but almoſt all together. Nowe I have gotten this occaſion, and becauſe I gett particular bearers but ſeldome, yow wilbe pleaſed from henceforth to make inquire att the ordinarie letter poſts, for by them I will ſometymes write. The firſt in parte is concerning the change of my brother's ſtile, and in that matter I wrote in my laſt all I can ſay. The reſt of it is concerning Sir Thomas (whom yow write yow have ſent for), that I ſhould aſſiſt him to diſpoſe of his children, which I ſhall doe by the beſt advice I can give him when he ſpeakes to me in that purpoſe; for he hath beane heare lately, and

when I was in Tividale he told me only, his daughter would marrie Lochtour, and that he had noe mynd to it; and this was all he ſayd to me after he had delayed to ſpeake with me till I came to Tividale, where he might doe att more leaſure then he could in Neubattle, becauſe he was in haſt. The ſecond letter is howe well yow are pleaſſd that I vſed the gentleman [who] came from my Lord Bedford ſoe well, which I did with mutch reſpect to thoſe ſent him; beſides the gentleman deſerved it by his diſcretion, and doth accknowledge it by ſeverall letters to me; and my Lord Ruſſell[1] hath written a very kynd letter of thanks to me, and I have att this tyme written againe to him, which your Lordſhip wilbe pleaſed to make ſend to himſelf or to Mr. Doctor Doriſlaw to give him, whoe ſent me his. Yow wilbe pleaſed alſo to tell my Lord Ruſſell better then I can write, that anything I did for him came hither, deſerved not he ſhould have taken ſoe mutch notice of it.

The end of this letter bids me carie my ſelf warily in theſe bryles,[2] which I ſhall doe by all the little judgment I have, but they increaſe wonderfully, as yow have hearde long err now of the paſſages of the laſt Counſell day. But ſtill it was only the com-

[1] William, Lord Ruſſell, was eldeſt ſon of Francis, fourth Earl of Bedford, and married, in the ſummer of 1637, Anne Carre, only daughter and heireſs of Sir Robert Carre, Earl of Somerſet.

[2] In a former letter (not preſerved) the Earl of Lothian had apparently noticed the uproar in the Church of St. Giles, Edinburgh, upon the firſt reading of the Engliſh Prayer Book by the Dean, aſſiſted by Lindeſay, Biſhop of Brechin, September 17, 1637. Two days later a ſupplication againſt its impoſition, ſigned by many of the nobility (among whom was the Earl of Lothian), burgeſſes, and miniſters, was preſented to the Council, but anſwer was deferred till the 17th October, that the King's mind might be known. On that day great multitudes came to Edinburgh from all quarters of the kingdom to hear his Majeſty's anſwer. This being conveyed in the form of a proclamation at the croſs, commanding the removal of the Council and Seſſion to Linlithgow, and "that everie one that hath come to attend this buſineſſe repaire to their owne dwellings under the paine of Rebellion, and putting of them to the Horne," occaſioned, on the following day, the riot and attack on the Biſhop of Galloway, deſcribed by Lord Lothian.—(*See the Earl of Rothes' Relation*, 1637-1638; Bannatyne Club, 1830, 4to.)

mon ſorte of the toune, and it begun where the Toune Counſell were ſitting. There a multitude of tradeſmen and ſervands and weomen gather'd about them, making demands which they were forced to agree to, and to give them ane act, for which they ſought, which was to have the miniſters that are ſoſpended againe, and there reader and the publicke prayers. When they were in the ſtreates before the houſe making theſe demands, vnhapily the Biſhop of Galoway[1] came by, whoe is very vngratious to the poeple, whoe began firſt to raile att him, then curſe. Att laſt ſome began to lay hands on him, which would have beane to his greate danger, if ſome gentlemen and Francis Stewarte had not reſkeu'd him, and put him in to the Counſell Houſs, where he was beſeedged a good while, till the Treſorer came vp, whoe alſo went to bring the Proveſt[2] from the place where he was to the Counſell Houſe, where the Biſhop was retyred: there they were all forced to ſtay a greate while, thinking the people would goe awaye. At the laſt, when they ſawe the people ſtayd ſtill, they ſent for ſome noblemen, pretending to ſpeake with them in ſome other matter, but in effect it was to have there companie to goe doune the ſtreate with the Provieſt and Biſhop, becauſe they thought the people would reſpect ſome of them. I was one my Lord Treſorer ſent for as one of his friends, and I was in a houſe where I had beane all that day, and not once ſturd abroade. But the meſſenger miſtooke, and caled for Loudoun; yet when they were

[1] Thomas Sydferf, Biſhop of Brechin, was transferred to the ſee of Galloway in 1634. He was depoſed by the Glaſgow Aſſembly in 1638, but re-admitted as Biſhop of Orkney after the Reſtoration.

[2] Sir John Hay of Lands, who was a zealous ſupporter of the meaſures of Charles I. for the uſe of the Service Book and other innovations, had this year been choſen, by the King's injunctions, Lord Provoſt of Edinburgh. He had previouſly held the office of Town-Clerk; and was appointed Clerk-Regiſter in 1632, and in the following year a Lord of Seſſion, by the title of Barro. Father Hay ſtyles him a man of rare endowments; while Sir James Balfour mentions him as "one altogether corrupt, full of wickednefs and villany, and a ſworne enemy to the peace of his country."—(*Annals*, vol. ii. p. 193.)

coming out, and that the poeple began to run after them, I was the firſt gott doun the ſtairs, and was with them erre they went twentie paces (and a good manie followed as they could come to the doore), and put my ſelf by my Lord Treforer att the Biſhop's backe, ſoe that from the Tolbooth to the Treſorer's lodging, the Biſhop was almoſt always in myne armes. The Treſorer is often well accompanied, but he never had ſoe many, for there were many noblemen and gentlemen in toun, whoe all came running to there friends, and to hinder any violence againſt the Proveſt or Biſhop, and multitudes of people crouded after: ſome to curſe and threaten, and ſome to gaze and followe; and yett I thinke they were more afrayd then they had cauſe, although the people from the ſtaires and in the ſtreats cryed and curſed after them. Houſoever the noblemen and gentlemen were to ſave them from hurt and to ſtay the tumult, and not to ſturr them vp, as may be it wilbe layd to there charge. But it wilbe a greate vntreuth, for they were ſoe farre from conſenting, that I thinke if they had not come doune with greate dificultie had they gotten in ſafelie to the Treſorer's houſe. There a good number of noblemen ſtayed, becauſe we expected Counſell there, which could not be kept in the Counſell Houſe. But there wanted a number, ſoe there was neceſſitie to goe to the Abay. Soe my Lord Treſorer went out, and the Proveſt by him: the Biſhop followed him, and at the comming out of gate my Lord Rothes put him ſelf on one hand of him, and I on the other, and we told him he ſhould be our charge. As ſoone as the poeple ſawe them, they began to curſe and rayll, and the Proveſt would have beane in againe, but he was deſired to goe forward, telling him he would be in noe danger. Soe forward he went. My Lord Rothes and I kept the Biſhop betwixt vs from the Treſorer's houſe in Niddrie Wynd, till we put him in before vs into the Kings houſe, and this is all I ſawe which I have written to your Lordſhip particularly.

If this buſines had not fallen out on a Counſell day, I had may be beane att home as I was when the firſt buſſines was, but I am

always in toune att Counſells in the vacation. It may be I conſent not to theſe things are preſſing on vs, they are ſoe mutch againſt formes and order and our lawes, but I am not, nor ſhall not be, mutinous: nor was there in all this buſſines any tounſman of faſhion in the ſtreets but to apeaſe the people, whoe were moſt of the trades, and angerd may be with the Proclamation the night before, that all men ſhould goe aff the toune, and that the Seſſion and Counſell ſhould remove to Linlithgow. God Almighty move the King's harte to gentlenes, and that he vrge not on this church that, that there is ſutch a generall averſion to, for this ſecond day there were at leaſt 200 ſupplications againſt this booke from preſbiteries and pariſhes and ſhires, and as many the day before, and every day there wilbe more, till the whole kyngdome have petitioned.

Your third letter is moſt in anſweare of that I wrote formerly concerning the land of Fairniherſt, ſoe I have nothing to anſweare to it in that parte. For the end concerning Sir Thomas, that I ſhould diſburden him of ſome of his children, ſince I have none of myne oune by me, I will not willingly take the charge of his that are ſoe yong, for the moſt parte that they neade nurſſes, and his daughters that are weomen had rather they tooke ſprings on there oune fiddles with others than with me, for that I am affeard they will doe, and have ſeane nothing leſs; but where ever he put them I will give them all the aſſiſtance I can ſpare, which, till God take his hand aff your people in Tividale, I am not able to doe, and yett they are not ſuffered to come abroade to faire nor merkett; ſoe that to this inſtant I have not of the laſt croppe gotten one pennie out of Tividale, nor in Lothian of every 100 merks of rent, twentie; ſoe that without the 800 lb. ſterling I receaved from your Lordſhip at Whitſonday I had broke, I thinke, nor have I hope to gett any thing nowe at Martimas, which wilbe the begining of the ſecond cropp, ſoe that I ſweare I knowe not to what hand turne to. The earth hath beane iron in this land (eſpetialy in Lothian), and the heavens braſs this ſommer, till nowe in the harveſt

there hath beane ſutch inundations and floodes and wyndes, as noe man livinge remmembers the like. This hath ſhaken and rotten and caried away the litle corne came vp, that certainly they that are not blynd may ſee a judgment come on this land. Beſides there is noe kynd of coyne in't, that men that are in debt can not gett there oune to give there creditors, and the few that have money keepe it for themſelwes for the greate advantadge in this penurie and neſceſſitie. Soe that for me, if your Lordſhip perſwade not my Lord Treſorer to pay the arrearages of your penſion, I thinke I ſhalbe forced this terme to runn away and lett the creditors catch of the eſtate that catch may, for I can not doe impoſibilities, nor knowe I howe to ſatisfie my Lord Hadinton. I was confident to have gotten him a good parte of his money att this tyme, but nowe I ſee it impoſſible; and for my Lady Lothian, ſhee hath theſe two late years a good bairgaine of me; for of both I have not yett gott that would pay her one yeare. For George Kerr, whom yow ſay I doe not advertiſe yow whither he be alive or deade, my not ſpeaking of him implyed he was ſaſe, and ſoe he was, and in good health within theſe three days, although many are deade in Ancrame, and all Tividale is well, both there and in Nether Niſbett; but the laſt death was in Ancrame.

I have not yett gotten leave to keepe any courts in Jedburgh, nor to take vp any rents, becauſe of the ſickneſs, ſoe I muſt give my Lord Hadinton rent for his money before I receave any thing. Your coales ſhall come vp ſhortly nowe when ſkippers will venter to goe out of harbours, where they have beane kept with vncouth tempeſts, and Harry Kerr found his parte of them att Aberdeene, where he was readie imbarked to goe with Sergent Major Kerr for Germanie, and 400 ſoldiers; but the ſhipp was in the harbour caſt away, and abowe 50 men droun'd. The reſt by Gods mercie eſcaped, and Harry was one of them, whoe is nowe come backe to Edinburgh, where they are ſtriving to make vpp there companies againe, for theſe were ſaved ranne all away, ſoe that companies that were compleate have not 20 men apeace. This is all I can write att this tyme (and it is att 12 in

the clocke att night, to meate the bearer att Saltpreſton to morrow. This makes me ſcribble the worſe, although my hand be always very ill). After I have deſired to knowe what ſhalbe donne with the meare yow ſent doune to Sir Thomas, that is in Ancrame parke, for he ſayes ſhe is not his, and I never heard from your Lordſhip what ſhould be donne with her. — I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEUBATTLE, the 29 October 1637.

ROBERT, EARL OF ROXBURGHE,[1] to the EARL OF ANCRAM. 1638 July 10.

BROTHER, I did faithfulie diſſchaerg the truſt yee laid upon me in the delyuerie of your letter to your ſone, and tould his las yee did giue me warrent: Trewlie I may ſay, and I knaw me Lord Marquis[2] will confirm it, your ſone hes ſhewin him ſelf moſt inclynabill to ane calme and diſſcrit way of proceding in the affairs that trubiles us heir. I nide not inlarge; this beliue me, his cariage hes bein ſutch as could be wiſhit. I will not trubill yow with informatioune of the paſſages of buſeneſs heir. I could wiſh thay war better, bot if all war of your ſoneis temper, I am aſſurit thay would be ſo. Our hapenes under God moſt cum from where yee are: the Lord dereƈt

[1] Sir Robert Ker of Ceſsford was elevated to the peerage of Scotland in 1600 as Lord Roxburgh, and created Baron Ker of Ceſsford and Cavertoun, and Earl of Roxburgh, September 18, 1616.

[2] James, Marquis of Hamilton, was ſent down to Scotland in June 1638, by King Charles, "with the characƈter for eſtabliſhing the peace of the country, and the good of the church." In November following he preſided at the meeting of the General Aſſembly, held in Glaſgow, but on their proceeding againſt the Biſhops, whom they had ſummoned to appear before them, he, by command of the King, diſſolved the Aſſembly, which nevertheleſs continued its ſittings. (*Burnet's Memoirs of the Duke of Hamilton*, pp. 42, 88-107.)

our Maiſter aryght, that he may reſolue upon the beſt for him ſelf, and that can not bot bring happenes to all who trewlie loueis him. Godis grace be with yow, ſo I reſt, your Lordſhips faithfulie aſſurit to ſarue yow,

ROXBURGHE.

CANNAGATE, the tent of Julie 1638.

To the right honorable the Erle of Ancrum,
Gentilman of his Majeſties bedchalmer.

1639 June 8.

GILBERT NORTH to the EARL OF LOTHIAN.

MY LORD, I had wayted my ſelf vpon your Lordſhip tomorrow had not ben Sondaye, to have given you thanks for your noble favor in returning my horſes, which I ſhall be ready to requite when I maye doe you ſervice. In the meane tyme I have ſent this my ſervant to expreſs my obligation to your Lordſhip, and withall to deſire yow that there maye be noe creditt given to ſoe many baſe lyes with which I am traduced by that ill natured fellow, whom I proteſt to God I have vſed better then ever I did any ſervant in that Place. I having ſeldom wanted one of that nation about me, whoe have ever before ſerved me truly and faythfully. For other thing which he has taken awaye of myne, being of noe greate valewe, I leave it to your Lordſhip's conſideration how farr you think him fitt to be puniſhed. Aſſuring you agayne that whenſoever you ſhall think fitt to command me in what I maye juſtly ſerve you, you ſhall fynde me, my Lord, your Lordſhip's humble and affectionat ſervant,

GILB. NORTH.

KING'S CAMP,[1] this 8th of June 1639.

For the right hon^ble^ the Lord of Lothian, preſent theſe.

[1] This letter appears to have been written when the Engliſh and Scottiſh forces lay encamped at Dunſe Law, and whilſt negotiations for peace were in progreſs.



CHARLOTTE DE LA TREMOUILLE

COUNTESS OF DERBY.

From the original by Van Somer at Newbattle Abbey.

CHARLOTTE DE LA TRÉMOUILLE,[1] COUNTESS OF DERBY, to the EARL OF LOTHIAN. 1640 March 18.

Monsieur. Ce porteur a commendement de Monsieur vostre [illegible] à vous à qui j'ay temps recognue d'affection pour ce qui [illegible] qui me fait auec plus de liberté vous dire le sujet de [illegible]. Nous auons fait ce qui nous à esté posible pour venir à quelque fin en ce qui nous regarde touche, mais n'ayant peu jusques a faite heure nous auons employée nos amies parens qui ont bien agreable de nous obliger ce qui fait que ce porteur à charge de leur dire le desir que nous auons de nous aquemoder en Engleterre, et je ne le fais point de doute qu'ils ne employée pour nos interes auec affection et que vous ne nous faites l'honneur de desirer une bonne issue a nos desirs, qui est pour le bien et la tranquilité de ma famille, qui ayans tant de relation auec la vostre me fera desirer les ocasions de vous temoigner pour mes seruices. que je vous suis, Monsieur, vostre seruante tres humble,

C. DERBY.

Ce 18 Mars [1639-40].

For the Earle of Lowthian.

GENERAL SIR ALEXANDER LESLIE,[2] to the EARL OF LOTHIAN. 1640 May 31

MY LORD, I will reuil my selfe vnto your Lordship (hauing soe great assurance of your worth) mor fullie then to any. You hear

[1] Charlotte de la Trémouille was a daughter of Claude de la Trémouille, Duc de Thouars, and wife of James, seventh Earl of Derby. She was distinguished for her famous defence of Lathom House, when it was besieged by the Parliamentary forces in 1644, and of the Isle of Man in 1651.

[2] General Sir Alexander Leslie was the son of George Leslie of Balgonie, and Anne Stewart (of Balloch[illegible]). He was educated for the military profession, and acquired



CHARLOTTE DE LA TRÉMOUILLE,[1] COUNTESS OF DERBY, to the EARL OF LOTHIAN. 1640 March 18.

MONSIEUR, Ce porteur a commendement de Monſieur mon mary de ſ'adreſer à vous à qui j'ay temps recognue d'affection pour ce qui me regarde a qui me fait auec plus de liberté vous dire le ſujet de ſon voyage. Nous auons fait ce qui nous à eſté poſible pour venir à quelque fin en ce qui nous regarde touche, mais n'ayant peu juſques a ſaite heure nous auons employée nos amies parens qui ont bien agreable, de nous obliger ce qui fait que ce porteur à charge de leur dire le deſir que nous auons de nous aquemoder en Engleterre, et je ne le fais point de doute qu'ils ne employée pour nos interes auec affection et que vous ne nous faſies l'honneur de deſirer une bonne iſſue a nos deſins, qui eſt pour le bien et la tranquilité de ma famille, qui ayans tant de relation auec la voſtre me fera deſirer les ocaſions de vous temoigner pour mes ſeruices que je vous ſuis, Monſieur, voſtre ſeruante tres humble,

C. DERBY.

Ce 18 Mars [1639-40].

For the Earle of Lowthian.

GENERAL SIR ALEXANDER LESLIE,[2] to the EARL OF LOTHIAN. 1640 May 31.

MY LORD, I will reuil my ſelfe vnto your Lordſhip (hauing ſoe great aſſurance of your worth) mor fullie then to any. You hear

[1] Charlotte de la Trémouille was a daughter of Claude de la Trémouille, Duc de Thouars, and wife of James, ſeventh Earl of Derby. She was diſtinguiſhed for her famous defence of Latham Houſe, when it was beſieged by the Parliamentary forces in 1644, and of the Iſle of Man in 1651.

[2] General Sir Alexander Leſlie was the ſon of George Leſlie of Balgonie, and Anne Stewart (of Ballechin). He was educated for the military profeſſion, and acquired

what is done in the Mers; I wiſs you be vigilant in Tividaill. Since Monro is come to you, and my Lord Erſkin lyeth at Kelſo, it is your ſafetie to joyne togither at Kelſo, for I am afraid you may bee ſurpriſed, being one from another, and being there you can receaue no harme except there foot armie come againſt you, to which I deſire you may haue a ſpeciall eye, and get ſure intelligence what way they moue, that if you bee in danger to bee ouermaſtered you may march and joyne with me, who am forced to ly heir vntill the horſemen come and the troupes gather, for as ſoon as they wer heir I will come, God willing, in their ſight. I haue wreatin to Collonel Monro, to my Lord Erſkin, to my Lord Ker, and the Sheryff of Tividail, to the ſame purpoſe. Communicat togither and bee ſecret; let their horſemen joyne with you, and keep diligent watches, that they may ſee your horſemen vpon their guard.—So, truſting to your Lordſhip, I reſt your Lordſhip's aſſured freind and ſervand,

Leslie

Dunglasse, the laſt of May [1640].

I haue encloſed ane order for my Lord Fleming, that your Lordſhip may addreſſe it to him when you have the opportunitie.

[1640] June 3.

General Leslie to the Earl of Lothian.

My Lorde, I doe hear that the King is mindet to viſit you or Jedburgh by ſending a partie that way and read the proclamation. If

great experience in the wars between the Low Countries and Spain, and ſubſequently under Guſtavus Adolphus, by whom he was promoted to the rank of Field-Marſhal. On his return to his native country in 1639, he was appointed military leader of the Covenanters, and conducted their operations with much ſucceſs. He was created Lord Balgonie and Earl of Leven, October 11, 1641.

they paſſe by you they are for Drumfries, therfor aduertiſe me what is become of them; and if they bee come towards you, I deſire they may find you in ſuch a poſture that they may take no advantage of you: howſoeuer, let me know by the bearer what notice you have of them, and excuſe this becaus it is in haſt from your aſſured freind to ſerue you,

A. Leslie.

Dunglass, the 3 of June [1640].

The Earl of Lothian to the Earl of Ancram.

1640 October 21.

My Lord, I receaved a letter from your Lordſhip, ſent me from Rippon, within theſe two days. It was of ane old date; houſoever I was glade to receave it, becauſe of a greate whyle I heard not from yow before. I am very ſorry for the cauſe of your Lordſhip writting att this tyme, but it was the will of God, and if many friends more had beane in the ſame lamentable accident with the Earle of Hadinton,[1] we muſt ſtoope and ſubmitt. I am glade to fynde the occaſion of this bearer (as I was att dinner with our lord lieutenant generall, my Lord Amont[2]), whoe will make yow a better relation of it then I could write becauſe he had a brother, a furgeon, kild there, therfore I leave to

[1] Thomas, ſecond Earl of Haddington, having been appointed governor of Dunglaſs Caſtle, was, by the treachery of Edward Paris, an Engliſh ſervant, who ſet fire to the powder vault, blown up, on the 30th of Auguſt 1640. With him periſhed many of his kindred and adherents. An account of this diſaſter was written and publiſhed by William Lithgow, the traveller, under the title of

"A Brieſe and Summarie diſcourſe upon that lamentable and dreadfull diſaſter at Dunglaſſe, Anno 1640, the penult of Auguſt. Collected from the ſoundeſt and beſt inſtructions that time and place could certainly affoord the ſerious enquirie of the painfull and induſtrious author. By William Lithgow. Edinburgh, printed by Robert Bryſon."

The original tract, which is of very rare occurrence, was reprinted among the author's poetical remains by Mr. Maidment in 1863.

[2] Sir James Livingſton, ſecond ſon of Alexander, Earl of Linlithgow, was created Lord Livingſtone of Almond in 1633, and Earl of Callander in 1641.

him to tell the way of it, if your Lordſhip have not hearde particularly alreadie. I am ſorry for the expreſſion in this letter to me, which ſayeth, "nowe that we are in direct opoſition to our King." We are not ſoe, nor ever ſhalbe:[1] we are but come hither to preſent our humble ſupplications and juſt greavances, and if we do it in armes it is to ſave and defend ourſelves from his and our enimies. If our intentions had beane otherways we might have beane nearer where yow are; but, in ſpite of all calumnies, and the vntreuths are ſpred againſt vs, we ſhall aprove our ſelves good and faythfull ſubjects, and better then theſe his Majeſtie hath a better opinion of. We leave it to God, whoe in tyme makes treuth apeare. There is nothing after the treuth which we deſire ſoe mutch as to goe home and injoye it in our oune poore countrie; and, verely, I had rather be Governor in Jedburgh then have the charge I have in this toune or in any in Ingland. If it pleaſe God to perfite this Treatie and turne it into a wiſh'd peace, I intend, ſince I am this length, to ſee your Lordſhip before I goe backe to Scotland. I have no other purpoſe but to remember my humble ſervices to my lady, and my love to my brothers and ſiſters.—I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 21 October 1640.

To the right honorable
my very good Lord the Earl of Ancram,
Gentleman of his Majeſties bedchamber att London in Blackefriers.

[1] King Charles, notwithſtanding his promiſes to the Covenanters at the pacification of Dunſe Law in 1639, reſolved a ſecond time to invade Scotland. But, with great energy, an army was immediately levied, under the command of General Leſlie, to reſiſt this attempt on their national liberties. Croſſing the border, they encountered the Engliſh troops at Newburn on the 28th of Auguſt 1640, and after a ſhort engagement compelled them to retreat. Next morning they took poſſeſſion of Newcaſtle, and the Earl of Lothian was appointed governor of the town. Charles thereupon nominated commiſſioners to meet others from the Scots at Ripon on the 1ſt of October. On the 23d of that month the negotiations were transferred to London.

The Earl of Lothian to the Earl of Ancram.

1640
November 8.

My Lord, The only letter I gott of a greate whyle from your Lordſhip was to be informed of the lamentable accident befell the Earle of Hadinton. I wrote in anſweare of that by one Pringle. I hope it is come to your hands. This is by the occaſion of our Commiſſioners whoe are coming for the Treatie. God give it a good concluſion, and put into the heartes of the Parlament to take the faireſt and righteſt courſes for it. What ever be ſayd of us, or be layed to our charge, God Almightie knowes we have noe thoughts of prejudice towards this kingdome where we are. If we had, we would not have beane in this place; neccеſſitie made vs come from home, and thither we will never returne but with aſſurance to injoy our religion in puritie, and our nationall liberties without relation to the cuſtomes of this kingdome. We wiſh and pray they may gett a reformation like ours, and that they gett every other thing is juſtly dewe to them by there lawes; and if they be defective in any thing may conduce to the good of the Commonwealth, that nowe they be redreſſd. But we come not to reforme Church nor State. We have noe ſutch vaine thoughts. We ſhall never refuſe the King civill and temporall obedience; if more be demanded we can not give it, and in our laufull defence We dare die. When we ſhalbe putt to that, we will ſell ourſelves att a deare rate, and God's works have beane wrought by fewer then we are. When all our reaſonable demands are refuſed we will relye on God and the juſtnes of our cauſe, and vſe all ordinarie meanes to maintain this worke; and when the worſt ſhal befall vs we would not have ſhuned it att home.

I wrote in my laſt that, if God gave vs peace, I would come and ſee your Lordſhip before I went to Scotland. I intend ſoe ſtill if yow be not againſt it. If your Lordſhip write any to me, the Earle of Rothes will ſend it, and he will give yow beſt ſatisfaction in all hath

beane fought or donne by vs or what we deſire. I will adde no more, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 8 November 1640.

I beſeach your Lordſhip remember my humble ſervice to my lady, and my love to my brothers and ſiſters.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber att London.

1640 December 14.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I have written at length in anſweares of your Lordſhip's letter with this bearer and with the diſpatch from our Commiſſioners. This is only att this gentlemans deſire, whoe tells me he goes away tomorrowe and deſired this. I have beane willing to have donne any thing for him he deſired me. Something is paſſed over ſoe long that nowe it can not be donne in ane inſtant, and ſomething can not inſtantly be donne nether, becauſe of the exceading ſcarſenes of money for paying any thing hath beane borrowed heare, but the firſt comes I ſhall doe my beſt to gett him ſome ſatisfaction. He will tell your Lordſhip the particulars may be. He ſpoke to me for one interuption he gott this day. As ſoone as I hearde of it I took it away, and if his ſtay had beane heare any longer I ſhould, I thinke, have donne the reſt. I will mingle noe other purpoſe with this.—I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 14 December 1640.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber.

CHARLES KERR to his FATHER, the EARL OF ANCRAM. 1641 January 7/17

MY LORD, This day Sir Robert Stone came to the Haghe and told me that he was to goe for England the morrow after, ſo that I made bold to trouble him to carry this letter to your Lordſhip, which is to let your Lordſhip know that I am in good health. I haue written to your Lordſhip now ſix times, and haue not receued a letter from your Lordſhip this 6 weekes. I writt to your Lordſhip by Sir Richard Cave, by whome I ſent two letters. The Queene gaue me on[e] for your Lordſhip and the other for my Lady, ſo that I long now extreamly to heare of your Lordſhips good health, for their is nothing els in the world can bring ſo much contentement to your Lordſhips moſt dutiful and obedient Sonne,

CHARLES KARR.

HAGHE, January 7/17, 1641.

To the right honorable the Earle of Ancrame.

The EARL OF LOTHIAN to the EARL OF ANCRAM. 1641 February 12.

MY LORD, I have, within this houer, receaved your letter, with one from my Lord Rothes. I have receaved many ſavors from him, but this laſt I eſteame the greateſt for the relation it hes to your Lordſhip, and I ſhall ſtuddie to acknowledge it. I wrote not by Sir Jhon Vietch, becauſe I had immediatly written before, and I have written ſince I came to this toune. I have noe more tyme nowe, but to lett your Lordſhip knowe of the receipt of yours. Be pleaſed to take in my ſervice to my lady, whom I have not tyme yett to thanke for the honor of her laſt letter to me.—I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 12 February 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber.

1641 February 18.

The Earl of Lothian to the Earl of Ancram.

My Lord, Your letter of the 27 January came but to me within theſe 3 days, and from Scotland. I have written ſince, and have ſince receaved letters from your Lordſhip in the purpoſe wherin I wrote to the Earl of Rothes. I will only, att this occaſion, to the ſecond parte of your letter ſay, that for my purpoſe of coming to London I will not doe it vnles I may handſomely: for I ſhould be very inconſiderate if, being one of theſe that gives the power to our Commiſſioners to treate, I ſhould come where they are, and be excluded from being one of them. It were a Scotts witt indeade; as we do in our Parlaments, the bodie chooſes a Comittee for articles to make themſelves ciphers. I wilbe none of theſe (although I am not deſirous of imployment); if I come it ſhalbe added to the number; and any other purpoſe but to ſee your Lordſhip and your familie would not drawe me to Darntoune, for bookes or things of that kinde I have deſired the Lord Maitland to provide me. I can not out of our armie furniſh you with a ſober fidler. There is a fellow heare plays exceading well, but he is vntollerably given to drinke, nor have we many of theſe people. Our armie hes few or none that carie not armes. We are ſadder and graver then ordinarie ſoldiers, only we are well provided of pypers. I have one for every companie in my regiment, and I think they are as good as drumms. If by your Lordſhip's means, or any others, I could have for my ſelf a well faſhioned ſober boy for my chamber, that were a barber, I would give him a good condition. The Ingliſh take not ſoe well with Scotland: therfore I would deſire a Frenchman that had Ingliſh, or if he had not I am indifferent. The bearer calls for my packett. I cloſe, therfore, and reſt, my Lord, your moſt loving and moſt obedient Sonne,

Lothian.

Newcastle, the 18 February 1641.

To the right honorable
my very good Lord the Earle of Ancram, etc.

The Earl of Lothian to the Earl of Ancram. 1641 February 27.

My Lord, Since I came to this toune I have receaved many letters from yow; moſt of them doe not require anſweares, therefore I will only tell the dates of them. Within theſe two days I gott two by Sir Jhon Vaitch, of the 6th February and the 14th; and two this day by William Kerr of Eſhett of the 13th, another yeſterday of the 12th, and one within this halfe houer of the 22nd. To that of the 6th, wherin was a band for 10,000 merks, I ſay only that I returne it againe ſubſcrybed by two witneſſes—your nephew Henry Kerr, and William Borthwicke, my ſervant. I will not ſpeake of my burdens nor troubles att this tyme, leaſt it ſhould imply a reluctation in this particular; but the bygone troubles have made them exceading heavie; a very litle adition att nextt terme may put me in greate diſorder. To that of the 14th I ſay nothing, nor to theſe of the 13th, but only that I can not fynde any to eaſe me in the charge I have heare, ſoe I muſt continue to doe the inch as I have donne the ſpanne. I hope God ſhall give me the grace to goe from it and from hence without doing wrong to any. I ſhall, as I have donne, ſtrive to doe all the good offices to the people heare and the gentlemen of the country I may, and, in particular, all poynts of freindſhip to the freinds of our houſe or any your Lordſhip loves. That of the 12th I have anſweard and obayd. To the laſt, of the 22nd, I say, that nowe that my Lord Argyll is deſired to come vpp, I will lett him come alſo, and not come with him; I doe not fynd it fitt nor convenient for me, for the Treatie is nowe neare ane end,[1] and I will not come

[1] The final Pacification was not concluded till Auguſt 7, 1641, when the Covenanters, beſides obtaining their other demands, received a ſubſidy of £300,000 from the Engliſh Parliament, in name of "brotherly aſſiſtance," in addition to the maintenance of their army whilſt encamped at Newcaſtle.

like Dicke in *Chriſt Kirke on the Greene.*[1] I am ſorry to heare that there are ruptures like to be amongſt them. I have hearde of them another way. If I were amongſt them, I beleave I might doe good offices. Seurly if I were of there number there ſhould not be a poſſibilitie of breaking with me if they were ſtraight in the maine: what ever any of them did for themſelves, for my ſelfe, the good of the publicke hath always beane my only end, and if that goe right I have my deſire; and if I be left out in the thanks, I can without diſpleaſure retyre to a private life, and ſhall, never-the-leſs, be readie againe if my country have vſe of the meane ſervice I can doe it; and if there be thanks, I ſhall wiſh your Lordſhip gett my parte, and ſhall deale that it may be ſoe, as I am moſt confident ſome are there wilbe readie to doe for yow any thing they can, if your Lordſhip tell them or me the way. Only I am ſorry att the expreſſion of your ſufferings for me; that makes me wiſh I had had noe hand in this buſſines rather, and I had rather have beane deade then not to have beane ane actor in it.

Nowe that there is hopes of a peace, if your Lordſhip would be pleaſed to make try for horſſe for me that were handſome and were managed to a *paſſade* or *terre a terre;* noe other are a deſire or could fit well if it were not a *curvette.* I deſire not one large, but a ring nagg that were full of life and metle for a commander without armes. If ſutch a one could be gotten, I would deſire to knowe, and the rate, that I might ſend for one. I am reaſonably well horſſed for a highway, but I have nothing of that kinde if it were butt for a ſhowe or the ſtreate, or in caſe of neccеſſitie if I were to goe where I might be ingadged in a ſkirmiſh; if it were but vpon ane occaſion of ridding to diſcover the countenance of ane enimie, or to ſee a paſſage, or to view a quarter or ſutch like. And for the horſſes I have, I am altogither diſprovided of ſadles and furniture; moſt of them ſpoyld or broken in our coming thither, and loſſ'd when our horſſe stoode abroade

[1] "Quhen all was done, Dick with ane axe came furth," etc.

in the fields. I would have the fadles for carying piſtolls, velvett on the fete and leather vnder, and high before, but not altogither cloſſe behind, a roule only att moſt, and large and handfome bitts, and of the fineſt blacke leather graith with braſſe buckles; only I would have one padde for a litle nagge, and double fuites of graith always, becauſe they breake and ſpoyle before the fadles. I had deſired my Lord Dunfermeline to gett me futch a horſſe to buy, but your Lordſhip hath better ſkill, and I will give 40 or 50 peaces for one of this kinde. Of all things I would have one of the metled proude ring naggs, and fadle and furniture ſutable for him. Your Lordſhip will pardon this tedious adition.—I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 27 February 1641.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1641 March 6.

MY LORD, I have by the laſt occaſion anſwaered all the letters I gott from your Lordſhip ſince I came to this place. This I thought ſhould have beane in the Earle of Argylls companie, but we have ſtayed him for ſome tyme, and the Lord Lindeſay ſhould have come alſo. I have noe purpoſe to come att this tyme, nor as long as there is any Treatie; for I have noe mynde to be only att the end of it. If it conclude well, and that I have any tyme before we remove from hence, I will come, God willing, and ſee your Lordſhip; but I will not leave my regiment to any others leading home; as there are noe complaints againſt them yett (att leaſt fewe) I will ſtrive to take them from hence without doing injurie to any. It might be in martching home ſome would lay there hands about them, and they will not be ſoe well reſtrained without me. This letter comes nowe with William Fleming, whoe is a ſober and diſcreate yong man. Some had miſtakes at his coming vp, becauſe of his relation to Montroſe,

and that his father was in the band ſoe mutch noyſe was of; but his brother was free of it, and this gentleman alſo,[1] whoe hath made a declaration to vs when he was permitted to come vp. I pray your Lordſhip vſe him kyndly. I ſend with this the incloſed from Lochtour.[2] It will tell his deſire beſt. I deſire noe prejudice to Corbett: he may give him ſome condition likways. As that roome was lately taken, it is of noe benefitte to him, but it may be of mutch to Lochtour. I have noe other purpoſe att this tyme.—I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 6 March 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber.

1641 March 10.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I have this night receaved your letter from Captain Stewarte of the 6th. I perceave your Lordſhip hes receaved moſt of myne. I have litle newe purpoſe to write, nor is there any thing to anſweare to this. One thing only your Lordſhip touches not, which I have written in ſome of myne formerly, which is for a barber, and a Frenchman I named, becauſe the Ingliſh like not our country ſoe

[1] Sir William Fleming, ſecond ſon of John, ſecond Earl of Wigton. The "band" here referred to was drawn up by the Earl of Montroſe at Lord Wigton's ſeat at Cumbernauld, in July 1640, and ſigned by ſeveral of the nobility, whereby they combined to adhere to one another in purſuance of the Covenant, but to oppoſe the party who were then in power. (*Burnet's Memoirs of the Dukes of Hamilton*, pp. 178, 179.)

[2] Gilbert Kerr of Lochtour.

well, and there are noe Scotts, I thinke, to be gotten; but if he be good of his trade and qualities, and a well favored yong fellowe, I care not foe mutch of what nation. All the reſt is anſweared, and they will come in your tyme. For bookes, I deſired the Lord Maitland[1] to buy ſome for me, and he hath the catologue, and I beleave he hath bought or beſpoken them erre nowe, therefore lett him make ane end. I have a greate deſire to ſee your Lordſhip before I returne to Scotland, being this length; and by my laſt yow will fynd I have noe purpoſe to come vp during the Treatie; there werre ſoe many have a mynd to the jorney, and I love not a croude. If the Treatie were ended I will come, if there be any tyme betwixt it and our going from hence, otherways I will leave till ane other occaſion, or that your Lordſhip thinke fitt to come into Scotland. This place is too neare not to ſee your friends there. Some other things I would have had from London, but they can not be gotten ſoe conveniently. I have in this ſervice had neade ſeverall nights of a furred coate; but my meaſure is not nowe with any taylor, and would have had one meate and well made. But the ſeaſone will not nowe ſo mutch neade it, although I have beane this winter (and litle yett recovered in a maner) in a fainte languiſhing, ſoe as I was never in all my life. I can adde noe more to this, but reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 10 March 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber.

[1] John, Lord Maitland, was eldeſt ſon of the firſt Earl of Lauderdale, by Isabel Seton, ſecond daughter of the Earl of Dunfermline. He ſucceeded his father in January 1645, and afterwards was created Duke of Lauderdale.

1641 March 22.

The Earl of Lothian to the Earl of Ancram.

My Lord, Within this houer Mr. Hadan came to me and gave me your letter, and fwore he had brought me them thrie or four days ſooner, but I was gone into the Biſhopricke of Durham to take the aire (with Argyll and some other noblemen), for I agree exceading ill with this place; and to morrowe I intend to take ſome phiſicke, not ſoe mutch, I thanke God, for any preſent diſtemper, but ane indiſpoſition I have had all this winter, and becauſe it is my ordinarie to purge and lett bloode once a yeare att leaſt. The ſword your Lordſhip hath ſent (if I have any ſkill) is a very good one, and I value highly any thing was my Grandfathers. I pray God give me the grace not to do anything vnworthy of him or your Lordſhip. I ſhall alway make vſe of this ſword and all I carie for the honer of God, the good of my country, and the Kings ſervice when it is not contrarie to theſe; and would to God the King would leade our armie, or make vſe of the hartes and hands of his good ſubjects, in a juſt and a holy warre for the advancement of religion and perfiting this greate begun worke. I ſhould thinke myſelf hapie to die att his feate or in the action.

The other things your Lordſhip writes you will ſend, I will expect att your conveniencie. But the picture and booke ſent in Mr. Carr of Eſhetts trunke is not yett come to my hands; nor heare we of the ſhipp, although there were never more ſhips in the river then att this tyme, whoe are ſtaying for coale, and never fewer to ſell to them. Many of the pitts are drouned and ſpoyld becauſe the fellowes runne away for feare when we paſſed att Newe Burne, but I ſhall doe my beſt to ſend ſome to your Lordſhip if it be poſſible: it ſhall not fayle for ſparingnes. I will expect that barber your Lordſhip writes of, whoe comes from France; I like him not the worſe he is a ſurgeon: they may vpon many occaſions be vſefull in peace or warre. This letter will come to your hands by my grand-

vncle Innerwicks ſonne, Mr. Thomas Hamilton, whoe is a good and a ſober yong man. I hope your Lordſhip will looke kyndly vpon him for his interreſt in, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 22 March 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1641 April 7.

MY LORD, I have receaved your letter of the laſt of March, and in anſweare to itt I can only ſay that my phiſicke did the ordinarie preſent effect; but I fynd not myſelf ſoe well yett as I vſed to be. I have had a languiſhing indiſpoſition this winter, which is vnwilling yett to leave me. And for matters off warre, when it ſhall pleaſe God this (or the appearance of a warre rather) ſhall end, if the King have vſe of my ſervice for the Prince Elector or any other juſt way, I ſhalbe readie. And I love the ſoldier, I confeſs; but I am not in love with the Portugall imployment, although I wiſh it good ſucceſs.

I deſire exceadingly to ſee your Lordſhip, which yow ſay in this [letter] may be this ſpring. If the Treatie were ended, I would inſtantly come vp, otherways I have noe mynde to be att the end of it. But if your Lordſhip thinke of coming northward, I ſhould be glad to knowe of it before. I had rather take the pains vnleſs yow would goe into Scotland. It may be I be injoynde to make a ſtarte to Scotland to be att the prorogation of our Parlament, which is to be the 13th of this. If I goe (leaſt ſome fiſhers in muddie waters ſturre and make interruption), I meane, God willing, to be backe by the 22 or 24 att fartheſt; but this is not reſolved of as yett. Howſoever lett it not hinder the ſending doune of the French boy, nor anything els your Lordſhip ſends to me. I leave heare theſe will receave him

ontill I come. I deſire he may come provided with inſtruments and combes and ſutch things for his trade. I ſhowed my Lord Yeſter that parte of your letter concerning his ſonne, and I ſhall give my Lord Rothes particular thanks for his friendſhip to your Lordſhip; it is beyonde any way to oblige me. The booke and picture I have att laſt receaved, and for the litle I have lookt into the booke I like it well, which diſpleaſes me that it ſhould want two leaves betwixt folio 60 and 65. I have noe other purpoſe att this tyme to write, but I ſhall miſs noe occaſions.—I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 7 Aprile 1641.

Three or 4 houres agoe, when I was writting this letter and ſome others, I was interrupted (as it is ſtrange to me to be a quarter of ane houer alone in the daylight within this houſe), and was called to a meating in a buſſines comitted to a ſewe of vs. Since I ſynd that it is like I will not goe to Scotland att this tyme, this I give your Lordſhip notice of, and that with the Earle of Southeſk, whoe came to toune this night. I have reſeaved your letter by Watt Scott, in which I ſhall doe him [all the] good offices I can.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber.

1641 April 12.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I have written lately by Captain Stewarte, ſoe that nowe I have litle purpoſe; yett by this bearer I muſt write ſomething, although he come ſlow by jorney. I wrote in my laſt that I was going to Scotland, and in the poſtſcript that I was determined to ſtay. I am in ane irreſolution yett. This toune's aire agrees exceadingly ill with me, and I can not gett ane indiſpoſition ſhaken off which hath

kept me all this winter. I thought the ſpring and ſome phiſicke would have help'd, but I am againe as ill almoſt as I was, ſo I muſt ether come South or goe North to change aire. I wiſh the Treatie were ended, that I might come towards your Lordſhip. If it drawe in length, and that we gett a newe ceſſation, I will to Scotland for 14 days. I have in this place ſoe lazie a life for bodilie motion, that (with the parte of the toune I am tied to, for the peoples convenience and the gardes to ſtay in) I fynde a ſenſible prejudice. I am trying to gett ſome coales ſent to your Lordſhip, which ſhalbe with yow ſhortlie if there be a poſſibilitie to gett them ſent. I have noe taylor att London that I knowe to whom I might ſend for any litle thing for me; therfore I muſt trouble your Lordſhip to deſire that I may have two night capps and two pair of ſlippers, one graſſe greene, the other ſkie collour, with gold or ſilver or gold and ſilver galloun lace vpon them. I can nether gett them heare nor in Edinburgh. If I goe to Scotland it wilbe about the 16 of this month, and I purpoſe, God willing, to be backe before the end of it. Let it not hinder the ſending any thing to me your Lordſhip purpoſes. I have noe more for this tyme, but reſts, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 12 Aprile 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber att Court.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1641 May 13.

MY LORD, I receaved two letters yeſterday at Jedburgh from your Lordſhip of the 4th May, att leaſt one of them is ſoe; I knowe not certainly, becauſe att the writting of this I have them not by me. I came to this place yeſternight, and nowe purpoſe, God willing, to remaine heare as long as the armie ſtays. I have litle to anſweare to

yours, nor purpoſe for this, only to ſay that ſince I came I have receaved theſe things yow ſent me, ſadles and furniture, and the box with the diſhes and other things of that kynd, with the watch and ſeals alſo.

Mr. Acheſone is to come away within a day or two with ſome coales for your Lordſhip. I conceaved he had come for ſome purpoſes of his oune hither. The boy, although he be little, I like well anough for the firſt ſight, and will keape him as long as I like him, or he my ſervice. This letter is principally to lett yow knowe I am heare. I ſhall write at more length with the next occaſion. For this tyme I can ſay noe more, but reſts, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 13 May 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber.

1641 May 15.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I wrote in haſt to yow yeſterday by Mr. Mercer; nowe I have ſome more tyme with this bearer, Mr. Acheſone. He came with the French boy to this toune the day after I went out of it, and hes ſtayd in't till nowe. When I heard he was come I ſent order to make quarter him in a good houſe, and he gott what money he called for for his intertainment, as he will tell him ſelf, nor wants he nowe to bringe him backe to your Lordſhip againe. He brings along with him in one Raphe Lamton's ſhipp of this toune 42 chalders of coales, which, as I am informed, will anſweare to the chalders att London to 70, for they tell me every dozen heare wilbe 20 att London. Soe your Lordſhip wilbe pleaſed to take notice of this, that the maiſter of the ſhipp vſe not ſlight; they muſt be taken off his hands within fouer days after yow are required to receave them, otherways, by

indentor, I am bound to pay for every day after 3lib. 10s. For his charges your Lordſhip hath nothing to pay, for I have ſatisfied all the coales heare and his fraught; whither Mr. Acheſone had come or not, they had come to your Lordſhip. I beleave the proportion will ſerve your houſe a good while. I judge only by what they ſtand me to coales and fraught neare 80lib. within 20s. vp or doune. I have receaved the ſadles, which will fitt me well anough, although I wiſh they had beane ſomething larger. The graith is too litle and ſmall; and I make never vſe to any horſſe or nagg I ride vpon of ſnafles or ſmall Ingliſh bridles or ſtirrupe irons, always blacke French graith. I have given this bearer a note of ſutch graith as I deſire to theſe ſadles and others I have. I have, I thinke, anſweared all your letters, only one thing in that of the 17 Aprile your Lordſhip writes yow have ſent me another of the bookes without the errata of the want of five leaves, but I have not ſeene it yett. Your laſt letters to me were of the 25 Aprile, and 4 of this. There is nothing I can anſweare to them, nor to any other I have receaved, nor have I any purpoſe to write further to your Lordſhip. I am nowe heare, and reaſonable well, I thanke God. Howe long I ſhall continue I knowe not, but this place my diſpoſition hath ane antipathy to withall. Houſoever, heare I purpoſe to ſtay nowe till ſome end of matters. God ſend them well when he will. I can ſay noe more att this tyme, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

Newcastle, the 15 May 1641. Lothian.

To the right honorable
my very good Lord, the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber.

The Earl of Lothian to the Earl of Ancram. 1641 May 23.

My Lord, Yeſternight by the Lord Maitland I receaved two letters from your Lordſhip dated the 17th and 18th of this [month].

To the firſt I can anſweare nothing, nor noe I what to ſay to the ſecond; for I conceave not what I can doe for my ſelf att this diſtance, and if theſe my friends doe for themſelves and leave me out and others alſo whoe have deſerved well of the publicke, they will doe themſelves more wrong then we ſhall ſuffer prejudice. For we have often bound ourſelves, in publicke and privatte, not to ſeake private advantages, nether in meanes nor preferments; and if the publicke goe well I haue that I deſire moſt on earth, nor ſhall I ever (with God's aſſiſtance) doe any thing for a world contrarie or to the leſſning of this we have beane about; nor doe I conceave that any of our number there will have pouer to doe ſoe mutch ether for themſelves or any bodie els. There are not many places in Scotland emptie, and if there were more, I am not ambitious of any State imployment; for other recompences, they will not be in private diſpoſitione. If there be mutch of that kynde the Eſtate will have a voyce in the diſtribution, and then I feare not to want a ſhare; for any thing in the King's gift I would to God he would recompence yow for your long ſervice, or doe for the reſt of your children. I ſhould, vpon that condition, oblidge my ſelf never to trouble him with any ſuite; but make the beſt of that fortune God hath putt into my hands, and retire home and manage it the beſt I may, and diſpoſe of ſome of it to ſave the reſt, which of neceſſitie I muſt; and in this I muſt deſire your Lordſhip's permiſſion, for the burdens I am in are heavier to me then death, nor can I ſtruggle with them any longer, and be a ſlave to ſome citicens and lawiers and futch moneyd men. Soe I am reſolved to put my ſelf out of debt, though I ſhould keape nothing but Ancram and Neubattle. And whatſoever is the cariage of any of our Commiſſioners towards you, it is nowe too late for me to goe about to remedie it, for all I beleave nowe wilbe neare a cloſe, and nowe if they be more free with yow it were not worth thanks. I am reſolved in all theſe things to vſe the ordinarie meanes without perturbation, and take matters as they fall; and if a friend faile to me, not for that leave aff the honeſt plaine way I have kept, nor omitt

any thing againe of my profeſſion to them; for I am not tyed by there cariages to me, but by my oune profeſſions to them, wherin I will not faile, and nothing but injuries can make me have a thought of hurting them, not there fayle of frendſhip to me. Nowe if I have not anſweared your letters according to your deſire, it is becauſe I conceave not what they can doe for them ſelves nor for me, nor what wilbe in there diſpoſitions. As I have ſayd ſome thing alreadie, there is noe imployment in our Kingdome I deſire, nor any charge in't, if it have not ſome ſimpathy with this life I have beane in this tyme paſt, but I purpoſe not to ſeake any, nether till the Treatie conclude. Then the Caſtle of Edinburgh, or ſome imployment vpon the Borders. If any thing be neceſſarie after this, theſe would pleaſe me more then a White ſtaffe. We heare his Majeſtie purpoſes to come to Scotland. We will not be able to doe as we did laſt in expenſes, nor doe I purpoſe it in any kynde, nether for table nor cloathes. Four yeares troubles is more then ane excuſe. I am glade I quitte when I was in Scotland ane eminent lodging I had. Nowe I have taken one will be as ill to be found as the other was to be miſſ'd. Come whoe will, I purpoſe nether to feaſte nor lodge any man as I did laſt. I ſhalbe glade to knowe of your Lordſhips diett. I feare the King yett be ingadged to further diſcontent if he come, for he will not fynde our Parlament ſoe ſubmiſs and ſlaviſh as the laſt; nor will a penn to marke men's names hinder free voting and ſpeaking:[1] this worke muſt goe through, or our reſts muſt goe vpon it; and the pairties invites him will, in there vndertakings, leave him in the

[1] Shortly after his coronation on his viſit to Scotland in 1633, Charles I. ordered an Act to be framed, aſſerting the royal prerogative in all matters civil and eccleſiaſtical, and giving him power to regulate eccleſiaſtical veſtments. On this being ſubmitted to Parliament, it was ſtrenuouſly oppoſed by Rothes, Balmerino, and others, and on being put to the vote, "the Act was indeed rejected by the majority, which the King knew; for he had called for a liſt of the numbers, and *with his own pen had marked every man's vote;* yet the Clerk of Regiſter, who gathers and declares the votes, ſaid it was carried in the affirmative." (Burnet, *Hiſtory of his Own Times*, vol. i. p. 37. Oxford, 1823). But the Earl of Rothes boldly contradicting this ſtatement, the King

mire as others have donne before. We knowe them all and there ſtrength; ours is God, and all that are falſe and hollowe will gett ſhame and diſhoner.

Erre theſe come to your hands, James Acheſone wilbe, I hope, in the river with your coales. I can ſay noe more, but that, God willing, I purpoſe not from hence, as long as the armie ſtays if my health permitt, which, I thanke God, is good for the preſent.—I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 23 May 1641.

1641 May 28.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, By two or three poſts came this day and within theſe two days, I have hearde nothing from your Lordſhip. Only this day by Sir James Bannatine I gott one of the 9 of this month. Your Lordſhip hath gotten two or three from me certainly erre nowe, and I hope James Acheſone and your coales. I can write litle by this occaſion, only I thanke God I am in good health, though very wearie of this miſerable place. I have receaved likways your letter by George Balfour; and if he gott not that money yow apoynted for him, out of your penſion, it was not my fault. I could not gett it from the Treſorer, and I could not conveniently ſatisfie him any other way. Your Lordſhip wilbe pleaſed to lett me knowe whither yow can gett futch a horſſe as I deſired. If it can not be conveniently donne, I will try if, at the diſbanding of the forces of Berwicke, any captain hath ſutch ane one there. And although in apearance our warre be neare ane end, I will not caſt away the proviſion of tents I have. But I was not foe well fitted of a bed; therfore if your Lordſhip would be

declared that the report of the Clerk muſt be held deciſive, unleſs challenged at the bar of the Houſe. This Rothes declined to do, as, in the event of failing in his proof, he would have been liable to capital puniſhment.

pleaſed to make any of your ſervands gett me from any vpholdſter one for the fields, with quilts and a ſmall bolſter and as they are vſed, I ſhould drawe the money by exchange to pay for it. But I would have it a prettie one, and all fitted for cariage. I muſt againe from your Lordſhip deſire ſome pictures. If yow come into Scotland this ſummer, yow will fynde ſome roomes in Neubattle not ill dreſſd; they want only ſome of that kinde of ſtuff. I have noe more till I heare from your Lordſhip, but reſts, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 28 May 1641.

Your Lordſhip will excuſe me for putting the incloſed within your letter.

To the right honorable
my very good Lord the Earle of Ancrame, etc.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1641 June 7.

MY LORD, I did noe more thinke this morning to have gone to Scotland then to Spaine. But the Lord Sinclaire came from Scotland, where there is ſome koylle, and the Lieutenant Generall and I are called thither, to what purpoſe we knowe not till we come there; and we goe away this night, to be I thinke, he att Pynky, and I att Newbattle to morrowe night, God willing; and if noe greate accident hinder, my intention is to be heare againe this day or to morrowe ſeaven-night att fartheſt. This is only to tell your Lordſhip of this, and of the receitt of your letter of the 29 May, which is the laſt I have receaved. I ſhall be glade to ſee your Lordſhip heare, but lett me be heare againe before your Lordſhip begin your jorney. And for the horſe I wrote for, if your Lordſhip have one, if he be of the kynde I deſired, he will ſuffice; I deſire of ſutch noe more then one, but I would have him a fyne and readie one. I can ſay noe more att this

tyme, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 7 June 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber.

1641 June 18.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I wrote when I left Newcaſtle. I then fayd I would be backe there within eight days; but when I came hither I found more worke then I imagined. Montroſe, Naper, and Kier were committed to the Caſtle on Fryday laſt, the 11 of this.[1] I was apoynted to fee them put in. It wilbe yett eight days before I be at Newcaſtle. Till your Lordſhip heare I am there, I hope yow will not ſturr, nor my brother. I can ſay noe more in this haſte, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

EDINBURGH, the 18 June 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber.

1641 June 24.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, Sir James Hackett came this day to this towne (to goe to morrowe to his ſiſter Griſſell's mariage with Sir Thomas Kerr

[1] On the 11th June 1641, the Earl of Montroſe, Lord Napier of Merchiſton, and Sir George Stirling of Keir, were impriſoned within the Caſtle of Edinburgh, charged with plotting againſt the Earl of Argyle, and other courſes tending to divide the Covenanters.

of Cavers). He tells me he hath left your Lordſhip's letters to me att Newcaſtle, becauſe I was looked for there, and he was informed he would miſs me by the way. I intended indeade to have beane backe eight days ſince; but this buſines concerning Montroſe and his aſſociates hath hindered me, and it wilbe yett two days before I gett libertie to goe from hence. Soe till I were att Newcaſtle I ſhould be forry my brother come thither. But if he come before me, he will fynde my houſe and my friends and fervands there. I ſhalbe in't, God willing, if I be living and in health, the laſt of this month. I can ſay noe more till then, or that I gett matter by your letters, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

EDINBURGH, the 24 June 1641. LOTHIAN.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1641 July 3.

MY LORD, I came to this toune two days ſince. The Lieutenant-Generall and I were apoynted by the Committee of Edinburgh to come hither, becauſe then they had not hearde there was ane delay in the King's jorney towards Scotland, and it was thought his charge and myne required we ſhould be heare. The reſt that were in Edinburgh and had charge in the armie were apoynted to waite ſtill there, for the buſſines in hand and for preparatione for our Parlament; which whither it will prorogate againe vpon his Majeſtie's laſt deſire I can not tell, till the Parlament men come togither; but the poſture of our affairs there and the tyme of the yeare will hardly admitt it. I receaved of late two letters from your Lordſhip, one which Sir James Hackett brought the length of this place, and left heare becauſe he was told he would miſs me in Scotland, and that came but to me (on

Wedneſday the firſt of this) at Fala as I was coming hitherwards. Your other, by the Maſter of Yeſter I receaved from him the 2 of this [month], when I mett with him a myle on this ſide of Wooler. I can not anſweare to them nowe ſoe particularly, becauſe they are att my lodging, and in the ſtreate I mett with this occaſion going inſtantly away: ſoe I write this in haſt to lett your Lordſhip knowe I am heare, and that by the next occaſion I ſhall write att more length. I have alſo receaved letters from my Lady and my brother and ſiſter, to whom I pray your Lordſhip excuſe me that I anſweare them not att this tyme, which the bearer's haſte will not permitt. I can ſay noe more, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 3 July 1641.

To the right honorable
my very good Lord the Earle of Ancram, etc.

1641 July 6.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I anſwearde in parte the letters I receaved from your Lordſhip ſince I went to Scotland by James Hamilton: ere nowe ſure yow have it: only one thing I ommitted, which was to lett your Lordſhip knowe what was my part in the laſte buſines concerning the Earl Montroſe. In winter, indeade, when his Band was burnt, I did what I could to quiett matters and bring him off, and he thought I did him good offices. But nowe I tooke not ſoe mutch paines; for his often relapſes are not to be indured, and his practiſes wilbe found mutch to the prejudice of the publicke, and very malitious againſt particular men, whoe, to my knouledge, differve it not at his hands. He was therſore (without one voyce diſaſſenting, ether of the Committee or noblemen and Commiſſioners of Parlament, whoe were preſent in good number) committed to the Caſtle, and I beleave my judgment was the firſt was aſked in't; for ſutch was the Preſident's pleaſure, whoe

was ſoe for that tyme. He gott my vote to it alſo when in voting it came to my turne, and I was apoynted with the Lord Maitland to carie him to the Caſtle. This buſſines, and the examining him and Naper and Kier, with Captain Stewarte, and Mr. Jhon Stewarte's examinations, kept me 20 days in Scotland, and with greate difficultie I gott away att laſt, which would not have beane permitted if the King's coming doune had not beane expected; vpon that, it was thought I could not be abſent from this place. For my ſelf, in all theſe proceſſes and troubles I have noe particular but the good of the publicke; that ſafe, I am for all the ways of gentleneſs and moderation. I was the more deſirous to come hither, thinking your Lordſhip or my brother might come heare, and nowe I will not gett leave to ſtay beyonde the 12 or 13 of this month. For, whither the Parlament ſitt or prorogate, I knowe I wilbe called to goe thither. I beleave vpon the King's deſire and the Parlament of Ingland's we will doe for delay all can be; but I beleave it will only be in this manner; the Parlament will ſitt and be preparing matters till the King's coming. Then we are confident the things we will deſire his conſent and ſcepter to, wilbe found ſoe neceſſarie and juſt, that he will agree to them and make noe opoſition nor diſpute. But to prorogate till the midle of Auguſt, and then to be to begin, our long ſufferings and the poſture of our affairs will not permitt, if it were but for our harveſt, which then, gentlemen muſt atend. But all this is but my thought, which yett, I beleave, will come to paſs. If I be called after matters are ſett by Committees or otherways in a way of progreſs, I will haſte hither againe to the taking aff of our armie, from which, God willing, I will not be abſent. Therfore ether till the beginning of Auguſt I would not have my brother come towards this place; or if he come and miſs me heare, that he come preſently towards Scotland. But your Lordſhip will better knowe howe to conforme his jorney or your Lordſhip's for the ſight of the Armie, by the tyme wilbe apoynted vs to goe from hence by the Ingliſh Parlament, and when the ceſſations give vpp; and in the going aff, our Armie wilbe only worth the ſeing, and viſible indeade;

for nowe they are diſperſed. Then we will goe all away in a bodie, or in ſutch partes as wilbe worth the looking on. I beleave I will fall to be the laſt, for the laſt to march out of this toune I muſt be certainly. Yeſternight the Earl of Dunfermline and the Lord Louden came hither: in there companies I gott two letters from your Lordſhip, one the 26 June, the other the laſt of it. That of the 26 beares only, yow are making readie for me a horſſe, and that I ſhould not feake any other any where els, which I purpoſe not to do. The letter of the laſt tells me of ſome ſtoppe your Lordſhip and my brother have gott for your jorney hither. I hope it wilbe but for a tyme. In the end, yow ſay yow will ſtuddie to furniſh your ſelf horſſes, seing yow fynde ſoe fewe good fellowes to lett yow have when yow want. Your Lordſhip hath in that and other things beane but too good a fellowe, and yow have gotten ill meattings. I have a gelding and a litle ſtoned nagge. The one is tried, the other is deare anough and of good kynde, and paces and gallopes well for the litle tryall I have had of him. Theſe your Lordſhip ſhall have when yow will, or any els I have, and when and which way yow pleaſe. Another litle gelt nagge I may have likways, which is praiſed for a good one. I have nowe ended with my Lady Lothian (whoe wilbe heare in her jorney towards London to night or to morrowe), and I have payed her for 4000 merks by yeare of the 9000 I payd her yearly, foe that treuly the day before I came from Edinburgh for that purchaſe and her annuitie ſhe gott from me above a 1000 lib. ſterline. This, and to take order with my annuall rents, and to entertaine my ſelf heare, hath preſſ'd me harde att this tyme. I ſhall, I hope, have noe more contraverſie with her, nor with any bodie if I can chooſe and light vpon a midde courſe, for all my plees ſhall ether be in my defence, or if I perſewe any, it ſhalbe after I am refuſed friendly dealings. I can adde noe more att this tyme, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 6 July.

Your Lordſhip wilbe pleaſed to give my Siſter this letter from my Lady Griſſell Setone. I muſt make the excuſe I did in my laſt for not writting.

The Earl of Lothian to the Earl of Ancram. 1641 July 11.

My Lord, I have written to your Lordſhip ſince I wrote att my firſt coming to this place, and this laſt letter I ſent by Lancy Pringle. It will not come ſoe faſt as the firſt did, but it is att more length. It bears that I thought I would go to Scotland again for our Parlament which aproaches; and this day I have gotten a command from the Committies there, to come home. I am ſoe hurried from thence hither and backe againe, that almoſt nether att home nor abroade ſince theſe buſineſſes begane, have I beane maiſter of my ſelf three days togither. This command to me to come home, came betuixt fermons this day, and I am going to horſſe within two houres, which wilbe about 12 in the clocke att night. What my ſtay wilbe I knowe not, but it ſhalbe as ſhorte as I can make it; a fortnight wilbe the moſt. I ſhould wiſh that I were heare before your Lordſhip or my brother came; and as I ſayd in my laſt letter, oure Armie will only be worth the ſeing or viſible in the marching aff, and att that, of neceſſitie I muſt be, for I hope there are not many complaints of my ſoldiers, and I ſhall ſtrive to take them from hence with as fewe complaints againſt them as can be. They will goe home the more orderly that I be with them. For theſe horſſe your Lordſhip writes of, lett them come att convenience. What I have fitt for yow or my brother ſhalbe readie. I wilbe more able to fitt your Lordſhip then him, becaufe I am noe hunter; but I will fynde for him of that kynde if my friends have any. I can ſay noe more with this bearer, whoe I thinke wilbe yong Hempſfield,[1] a Collonell in our armie, and a prettie gentle-

[1] Sir John Charteris of Amisfield, in Dumfriesſhire.

man. Your Lordſhip wilbe pleaſd take notice of him curteouſly. I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 11 July 1641.

I have inſtantly received your letter of the 8 July.

To the right honorable
my very good Lord the Earle of Ancrame,
Gentleman of his Majeſtie's bedchamber.

1642 February 15.

NOTES BY THE EARL OF LOTHIAN OF THE NEGOTIATIONS WITH THE PARLIAMENT OF ENGLAND FOR SENDING TROOPS TO IRELAND.[1]

The 15 February, in the Starre Chamber.

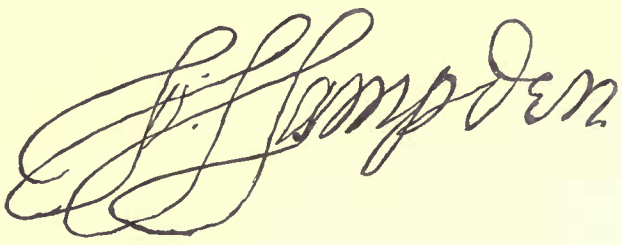
THE firſt thing was aſked, whom we thought fitt would be Generall, becauſe if they knewe they would give the more pay if they liked him, and then aſked—what pay we would deſire he ſhould have? We anſweared,—for the firſt, that it was referred to the Kyng and Counſell, and till the Articles were ended noe determination would be; and for the other,—we would ſay nothing. The next poynt was concerning the ordinance; the 3rd, about the Generalls garde and 12 lib. for the horſe; 4th, the 10th troope condiſcended to, and Sir Robert Adair[2] apoynted to command it; 5th, concerning Londonderrie, they adhere to their former reſolution, and that we will repreſent it to the Counſell ſoe; 7th, the bagage horſe ſhall be ordered by the Houſe; 8th, for the diſbanding, they ſhalbe diſbanded and payed by parcells, but not vnder a regiment. But a doubt vpon this, that this was to be vnderſtoode when they had a purpoſe to diſband all, and not to leſſen our armie, and keape what proportion they thought fitt, for this would alter our whole Treattie.

[1] Towards the cloſe of 1641, the Earl of Lothian and other Commiſſioners were ſent up by the Committee of Eſtates to negotiate with the Engliſh Parliament about ſending troops to Ireland for the ſuppreſſion of the rebellion in that country.

[2] Sir Robert Adair of Kinhilt and Ballymena in Ireland.

JOHN HAMPDEN to the EARL OF LOTHIAN. [1642 February.]

MAY IT PLEASE YOUR LORDSHIP, The Lords Commiſſioners and wee of the Houſe Commons are commaunded to preſent your Lordſhips with ſome deſires for both Houſes this afternoone: and to that end, I preſume to deſire your Lordſhip's ſauour to bee at Weſtminſter about fiue aclock, where my Lords will giue meeting to your Lordſhip; and you ſhall not faile to be attended by your Lordſhip's moſt humble Seruant,



Thurſday, one a clock, in great haſt.

I humbly deſire Sir Robert Adaire may not depart before wee haue ſpoken with your Lordſhip.

For the right honorable
the Earle of Lothian; or, in his abſence, to any of
the Commiſſioners for the Kingdome of Scotland.

ALEXANDER LESLIE, EARL OF LEVEN, to the EARL OF LOTHIAN. [1642 February.]

MY LORD, According to your Lordſhip's advyſe of the eight of this moneth, we had from Sir Archbald Jonſtoune the Treattie with ſeverall inſtructiouns and informationis from him by word. Bot now ther is nothing more trowblefome to us, then that in the expectation of the 20,000 lib. to have beene ſent doune long agoe, many of the levies wer verie far advanced, and the ſouldiouris, to the gentlemen

officeris thair infinit prejudice, ly heavie on ther handis, ſo that we have beene forced to cauſe the commiſſarie vſe all meanis in borrowing of money, for the preſent diſpatche of ſuch as wer moſt reddie, quhairby your Lordſhip may be aſſured that, as att this preſent, ſome companyes ar on the march, ſo everie day henceforth ſome regiment or companies wilbe ſent alongis till the full number of our levie be compleitlie tranſportit; for the quhich cauſe I ſent for your Lordſhip's lieutenant collonell, to the intent he might reſſave ordour with ſuch proportioun of money as can be gottin, that ſo your Lordſhip's regiment may nothing be poſtponit till any of the reſt. And ſoe quhill thir preſentis ar in wrytting the gentilman is preſentlie cumit in at my chalmer dore, quhom I ſall accordinglie diſpatch.

Now, my Lord, as yours is ane proportioun purcheſſit for the putting on of everie regiment quhich no queſtioun will put all the men on foote, ſo if theſe moneyis cum not preſentlie doune for the payment of the debt preſentlie contracted, and for compleit payment of the quhole moneyis dew to the regimentis, your Lordſhip may eaſilie conſidder quhat a great impediment it will be to the work, and prejudice to all the undertakeris. As lykwyſe, your Lordſhip wilbe pleaſed to furder the moneyis for the levie of the horſe troope, the quhich wer expedient to be reddie with the firſt. Nather can I omitt to recommend ſeriouſlie to your Lordſhip's conſideratioun how neceſſar it is to have ane Secretarie imployed as ane publict ſervand of the armie, and to have ane allowance conformeable, ſeing that our ſtay wilbe as it wer in the midſt of thrie ſeverall Eſtatis, to quhom we muſt in ſome meaſure be comptable, at the leaſt keipe fair correſpondence with them, which is not ane taſk fitt for everie ordinarie domine, nor have we choiſe of men fitt for truſt, though we wer reddie to beſtow on them never ſo bountefull. Nather may I forgett againe to recommend vnto yow to vrge for ane allowance to certane gentilmen ſouldiours, perſounes of worth and weele deſerving thair intertenement in the beſt armie in Criſtendome. The number I am indifferent of, nor will not preſs; bot ſome ar moſt neceſſar, wer it bot the number

of four, ſix, or ten. I muſt intreat your Lordſhip to mak my excuſe to the reſt of my Lordis Commiſſioneris, to quhome I have not tyme to wryt, being preſſed to goe over to Fyffe.

I am glade to heir of your Lordſhip's good health, and wiſh the continuance thairof, with ane good ſucceſs to all your affairis, as being, my Lord, your Lordſhip's verie affectionate Freind and Servant,

LEUEN.

WILLIAM MORRAY[1] to the EARL OF LOTHIAN. [1642] April 2.

MY NOBLE LORD, At my arryuall heere I found his Majeſtie extreamly ofended with the laſt meſſage ſent by the Parliament,[2] both for the ſubſtance, aſe being ſharpe and perſonall and rather preſſing then praying, and lykewiſe for a very undutifull circumſtance, aſe being printed in London befor it waſe ſent, and brought him ſo by the ordinary, at the ſame time he receaued it in writting from the Commiſſioners; ſo aſe, had he returned the deſired anſwer, his immediate thankes had beene a publike reproche. This gaue him too good cauſe to thinke that aſe all he had granted before, which hath beene more than one or all his predeceſſors had done, hath hitherto procured him

[1] William Morray or Murray, of the houſe of Woodend, was the ſon of William Murray, miniſter of Dyſart in Fife. His uncle, Thomas Murray, who was preceptor to Charles I. when Prince of Wales, brought him to Court at an early age, and he was educated along with the Prince. In 1626 Charles appointed him one of the Gentlemen of his bedchamber, and he was afterwards created Earl of Dyſart and Lord Huntingtower. He is repeatedly mentioned by Clarendon as one much truſted by the King; and in a Remonſtrance, which was addreſſed to his Majeſty in 1642, he is firſt named, along with three others who ought to be removed from the Court, "being all perſons of evil fame, and diſaffection to the public peace and proſperity of the kingdom." (*Hiſtory*, vol. ii. pp. 17, 575, 608; Oxford edit. 1826, 8vo.)

[2] On the 26th March 1642, a petition was prefented by the Parliament to the King at York, praying him to diſpoſe of the militia, "as they had divers times humbly petitioned," and that "he would be graciouſly pleaſed to return to thoſe parts, and to cloſe with the counſel and deſire of his Parliament." (*Ibid.* pp. 314-325.)

ſcarce any acknowledgment, this (could he with honor or ſafety haue done) would but haue runne the ſame fortune.

Finding thinges in this poſture, both by diſcourſe with his Majeſtie himſelf and by others, I uſe ſome freedome withall. I durſt not adventure to diſpute a caſe already decided in his heart; I choſe rather the ſhewing your Lordſhip's letter, that, in a manerly and unſuſpected way, I might enter aſe in the name of a third perſon into a debate, which ſucceeded accordingly. The reſult of which waſe, that to the Militia he could giue no other anſwer then already he had done,—he had taken ane othe at his Coronation to maintaine the prerogatiue of the Croune as well aſe the liberty of the ſubject, in the former of which he had already failed too muche, but in the granting this demand he ſhould ſubvert it totally. For his returne to London he anſwered, when their dutifull behaviour made it honorable and ſafe, he would very willingly hearken to the propoſition, but for a particular treaty for accommodation it waſe a propoſition had often amuſed and ſometimes deceiued him; that hereafter he would hearken to none but ſuche aſe were made him by both Houſes of Parliament.

He ſeemed well pleaſed with the care and paines you had taken, and ſaid, he would neuer doubt that any honeſt Covenanter could permit him to ſuffer contrary to theyr oath in ſo eſſentiall points, deſtructive both to his honor and hitherto unqueſtioned prerogatiue. He inſiſted muche upon this point, ſo aſe, I conjecture, he expects your number ſhould ſhew themſelves more for him then hitherto you haue done. This is all the account I canne give your Lordſhip at this time, more then that I am, my Lord, your Lordſhip's faithfull and obliged Seruant,

W. Morray.

Yorke, 2 April [1642].

ARCHIBALD DOUGLAS, LORD ANGUS,[1] to the EARL OF LOTHIAN. 1642 April 24.

MY LORD, That your Lordſhip hes added this to many quherby to increaſſe my obligatioune off your reall curteſyis, I can bott regraett my awne diſability for repaymentt. My deſyris and wiſhes ar the moſt and beſt ſatisfactione your Lordſhip neidis to expect; nether ſall theis be amiſſing. The occaſioun of this your Lordſhip's laſt advertiſhmentt is anſueritt be ane letter from the Counſall, quherin is declaeritt the untrowthe off thatt reportt quherto I cane not add any thing. Yitt, to give your Lordſhip conttent, and in ſume maeſur thankis for your Lordſhip's kyndnes, reſueve the trew relatioune as my memory ſervis. Quhen your Lordſhips our Commiſſioneris advyſitt us that ye had interponitt your beſt indevoris for ane better underſtanding betuixt the King and the Parliamentt, off quhois acceptance off your interpoſitioun we wer all well plaeſſitt, quhilk to wittnes we reſolvitt to eick to this imploymentt the Marquis of Argyll and our Chanchellour, quhois pouer, eminency, and placis wer in our opiniounis ſo conſiderabbill as they mycht in ſum maeſur mor advance your projecttis. Of this we advertſhitt your Lordſhip, willing withall that the King and the Parliamentt off Ingland mycht be conſulttitt. Our maſter approvitt our intentionis. The Parliamentt, be your Lordſhips our Commiſſionaris ſignifyitt ther diſſaſſentt. Quhen thes was returnitt to Counſall tabbill, the queſtioune was ſtaettit—iff or no the Marquiſe off Argyll ſould obey his firſt ordouris? In this diſcourſſe ther was dyverſe diſputtis and argumentis uſſitt *hinc inde;* in thes ther was many raeſonis producitt be dyvers there preſentt for the Counſall was very frequentt. Quhatt the Erll of Mortoun his ſpeache was (I

[1] Archibald Douglas, Lord Angus, the eldeſt ſon of William, firſt Marquefs of Douglas, was re-appointed an Extraordinary Lord of Seſſion and Privy Councillor by the King and Eſtates, November 13, 1641, and officiated as Lord High Chamberlain at the coronation of Charles II. at Scone, January 1, 1651. He died at Edinburgh January 15, 1655, predeceaſing his father. (*Senators of the College of Juſtice*, p. 297.)

do not remember his wordis), bott I believe itt was to this effect, thatt his Majeſty's approbatioune and invittmentt to the Marquiſſe off Argyll mycht give ane ſufficient warrantt for his repayr to Courtt. Itt was anſueritt be the Marquiſe, he could nott ſie quhat he could conduce to that reconcaelmentt, ſinc the Parliament their opinioun was declaeritt, that his Lordſhip's coming was unneceſſar, and therfor willit to be excuſſit. In this conſideratione the queſtioun was renewitt eſter the reſett off your Lordſhip's advyſſe—if or no the Marquiſe ſould goe? Trewly, trewly and ingeniwſly, I do confeſſe my awne wordis or ſenſe was to this effect,—that ſeing for the better effectuating off affayris off importtanc the Marquis was joynitt be the Parliamentt off Scotland in your Commiſſioun off the Traety and houſe, the Counſall off Scottland had approvenne or rather intraettit his Lordſhip to repayr to Courtt to aſſiſt thatt greatt buſines off rycht underſtanding betuixt King and Parliamentt, and thatt his Majeſty did invitt him therto, I think rycht that the Parliament and Counſall off Scotland their opiniouns being ſecundit with the King, his conſentt ſould be ſoonner obeyitt and be any our awin ſubjectts with mor obſervaenc anſueritt then ane ſingill prohibitioun off Parliamentt off Ingland to ane Scottis ſubject and Counſaller quhom the King mycht call quhen he plaeſitt for advyſſe. As I am ane chriſtiane, and deſyris to deſerve ſaythe att your Lordſhip's handis, this was all as to the wordis ſett doun in your Lordſhip's miſſive to me, off wronging our Kingis prerogative be armis, or to mak ane braeche off our union betuixt the two Kingdomis. Lett me never be thowcht ane honeſt mane iff I did ever haer ſuche wordis emittitt be any, and iff they had beine I wold haeve beine very ſory to haeve ſecund ſuche ane diſcourſe, quherby to loſſe my thankis off former ſpentt tyme. Ther was in the tyme off Scilla and Marius in that republick *captoris*, quhen this turnitt in ane Impyr in the tymis of Nero and Calligula and many utheris. Ther was Cenſores, bott thes was compattibill, howbeitt nott allowabbill, for the dilaettitt was to be judgitt be the ſamme ſtaett; bott thatt we ſould mak reckoning for our wordis ſpokine in Scottis Counſall to the Staett off

Ingland is mor then I did ever haer off in the Treatty preceidding this yaer off God. This is nott to juſtify any thatt ſall prove guylty off any thing may give thatt Staett cauſe off jaeloſy, to quhom we awe all dewty and correſpondence. Bott iff any ſuche occaſioun ſhould occur, trewly I think bothe the Scottis Counſall and Parliamentt ſould ſeriouſly advertt to itt, and puniſhe the moveris off ſuche motiounis. Laeſt I waery your Lordſhip in on buſines I craeve your Lordſhip's mercy. I am ſo tedious.

Ther is ſume uther diſcourſe comitt to my earis may prejudg the paece betwixt your Lordſhip and your nichbour the Erll off Dalhouſy, to quhom ye know I awe my beſt reſpectis. The particurall is for James Ramſay off Southſyd, quhois remiſſioun for this unhappy accident is ſtayitt be your Lordſhip or my Lord off Ancrame, and affirmitt to be don in deſpytt off Dalhouſy. My Lord, lett nether ſuche thing be don nor expreſſit (under correction I am this bold), for ye know my obligatioune to the nobbillmane and his houſe, quho deſyris to keepe rycht correſpondence with your Lordſhip, utherwayis he wold never haeve affenttit to thes taermis. I was wittnes and actor in the laſt bargane quherin your Lordſhip did imploy me that concernitt him. I leive this to your Lordſhip's diſcretioun, and am perſuaditt that ye will do nothing to the prejudice off any belongis my kynd kinſmane and your nobbill nichbour, or any to him belonging.

I haeve hard of the imbarcing off your regimentt; for certificatioune heiroff Sir Jhone Murray is com doun. I thowcht to be informitt particularly with your Lordſhip's commandementtis in this your imploymentt, and howbeitt I haeve ever ſtudyit to do yow ſervice, yitt I do nott recentt, your Lordſhip hes plaeſſitt to neglect me in thatt ſervic becaus off my inability to do yow muche gud. Nevertheles, ſeeing how hardly levyis gois haer, I haeve given promeis to the Clerk Regiſter off your Lordſhip's acceptance off ane offer maed to me off one Captane Lyndſay, for quhome he will be cautioun for his abilityis with ane complaett company, all now raedy

iff he ſould be commanditt to marche within xxiiii houris. Iff in this I have beine impertinentt, itt is my too bold prefumptioun, quhilk, iff I find diſallowitt, ſalbe heirefter amenditt be your Lordſhip's trew and faethfull Servantt,

A. Dowglase.

Edinburgh, the 24 off Apryll 1642.

To the rycht honorabill and my very nobbill Lord
the Erll of Lowthiane, thes.

1642 Oct. 23. The Maréchal de la Ferté[1] to the Earl of Lothian.

Monsieur, Je vous ſuis extremement obligé de l'honneur que vous m'auez fait de vous ſouuenir de moy. J'eſtois en paine auant de recepuoir la voſtre de voſtre paſſage, et attends auec impatience de ſçauoir voſtre retour à Edimbourg, d'où j'eſpere que vous manderez ce que je puis eſperer touchant les propoſitions que nous auons faittes enſemble. A mon retour j'ay trouué que les ordres auoient etté données pour faire paſſer tout le regiment des Gardes Eſcoſſois en Allemaigne auec M. le Duc d'Anguien, et meſme que le dit regiment y debuoit reſter auec M. le Mar. de Guebriant. J'ay faict changer cet ordre, et au lieu de tout le corps il n'y en demeurera que dix compagnies pour cette campaigne prochaine. M. le Comte d'Irrwine[2] ayant receu vne deſpeſche du Roy qui lui command de ſ'en reuenir auec le reſte des officiers, et leur a-on donné pour garriſon et lieu d'aſſemblée Amyens. Si on luy donne liberté en Eſcoſſe de faire paſſer les ſix compagnies reſtantes, je luy fairay donner ſon argent ſoit icy ou en Eſcoſſe. Vous me fairez donc la faueur, ſ'il vous plais, de me mander ſ'il peut recep-

[1] Henri de Sennectaire, Maréchal de la Ferté, a diſtinguiſhed French officer, was born at Paris in 1600, and died Sept. 27, 1681.

[2] James Campbell, ſecond ſon of Archibald, ſeventh Earl of Argyll, was created Earl of Irvine, March 28, 1642.

uoir cette grace de M^rs^ du Conſeil de faire paſſer ces ſix compagnies ſans leſquelles le regiment ſeroit en aſſez mauais eſtat, y en ayant près de 6 à 700 qui ſont eſpars en Champagne. J'ay faict partir vn commiſſaire aujourd'huy, qui ſ'en va tant à Metz, Verdun que Rheims, pour aſſembler tous les Officiers et Soldats qui ſont dans ces villes là, les faire payer et conduire à Amyens. Pour ce qui regarde vos intereſtz, ou ceux de vos amys, me faiſant ſçauoir voſtre volonté, je vous fairay donner tout le contentement poſſible, vous aſſeurant que je n'auray jamais tant de joye que de vous ſeruir, en vous teſmoignant que je ſuis, Monſieur, voſtre très-humble et très affectioné ſeruiteur,

LAFERTÉ.

A PARIS, $\frac{23}{13}$ Octobre 1642.

Monſieur le Comte de Lauthian,
Con^er.^ du Roy de la G. Bretaigne
en ſes conſeilz en Eſcoſſe, à Edimburg.

The MARÉCHAL DE LA FERTÉ to the EARL OF LOTHIAN.

1642 October 31.

MONSIEUR, J'é receu la voſtre, et n'ay jamais doutté que vous meſlant de renouueler les antiennes aliances et amitié de ces deux couronnes, vous n'y trouuiſſés l'agrément de Meſſieurs du Conſeil; pour moy, je n'oublieré rien à faire congruentes à ſa Majeſté et a ſon Eminence vos bonnes volontés. Vous pouués auſſy vous aſſeurer que l'our que nous parlerons plus auant de ceſt affaire, vous trouueriés ſa Majeſté portée, à vous donner toute ſatiſfaction, et de teſmoigner l'eſtime qu'il a touſiours faicte de toute la nation. J'atends de voz nouuelles ſur cela pour contribuer tous mes ſoings à acheminer ceſt affaire, en ſorte que vous ayés toute ſatiſfaction. Vous ne debuè point eſtre en peine que l'on change aucune choſe au traicté que j'ay faict auec Monſieur le Conte d'Irouin [Irvine]. Quand il ſera icy, il vous teſmoignera le bon traictement que l'on luy fera. On a faict faire monſtre à ſes troupes à meſure qu'ils ariuent, et les premieres ont deſià receu deux moyes de gaige. Monſieur Banentin n'a pas ſubject de plainte, ayant

eſté fort bien traicté juſques à ceſt heure : je ne doubte point que l'on ne continue. Il eſt vray qu'on luy a rendu quelque mauuais office icy : je eſſaie de faire veoir que ce ſont quelques ennemis qu'il peut auoir, qui ont cauſé de petitz bruictz qué l'on a faict coure de luy, lesquels eſtantz faux n'auront point de ſuitte. Je ſçay que vous l'aimez : c'eſt pourquoy vous debués eſtre aſſeuré que je luy rendré tout le ſeruice qui me ſera poſſible. J'é veu par la voſtre et celle que m'eſcript Monſieur le Conte d'Irouin [Irvine], comme Monſieur le Marquis d'Onthelay [Huntly] ſ'eſt rendu fort difficille, ceſt affaire-là n'eſt pas ſi fort en ſa diſpoſition qu'i la puiſſe mettre entre les mains de Monſieur de Richemont pour y mettre qui y voudra. Je verré ſon Eminence là-deſſus et luy teſmoigneré l'eſtime que vous faictes de ſa perſonne. J'oſe deſià vous aſſeurer que, quand vous deſireré quelque employ en France, vous l'aurés tel que le ſçauriés ſouhaitter. Je vous en eſcriré plus particulierement quand je ſçauré voz ſentiments, ſoit par voz lettres ou par Monſieur le Conte d'Irouin [Irvine], et me contenteré par celle-cy de vous aſſeurer que je ſuis, Monſieur, voſtre très-humble ſeruiteur,

LAFERTÉ.

A PARIS, ce derniere Octobre 1642.

Je vous ſupplié d'aſſeurer Monsieur le Conte de Paleremo [Balmerino?] que je ſuis ſon très-humble ſeruiteur.

A Monſieur, Monſieur le Conte de Lodiune.

[1642] December 19.

JOHN, LORD BALMERINO, to the EARL OF ANCRAM.

MY NOBLE LORD, I will not wrong the ſhorte tyme my Lord your Son will haue to ſtay with yow, with a long letter, ſince he can in few wordis relat the conditione of your freindis and our affaireis heere. If it pleaſe God to proſper him in the meſſage hee carrieth,[1] as hee

[1] Great complaints were at this time made regarding encroachments upon the privileges long enjoyed by the Scots reſident in France, and the Earl of Lothian was

hath bleſt all his former endevouris, I hope wee ſhall haue better occaſione hereafter to entertain our former correſpondence, and ſo without *ſans ceremonie*, I am, your Lordſhip's faithfull freind and ſervand,

BALMERINOCH.

EDINBURGH, 19 Decembris [1642].

For my verie honorable good Lord
the Earle of Ancram, &c.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1642 December 29.

MY LORD, I knowe not what hath become of the letters I have written to your Lordſhip; but I have not ſeene any from yow theſe ſix weakes or two months, and I knowe not whither your Lordſhip yett knowes of the jorney the Counſell of Scotland have apoynted me to make, nor will I nowe ſay any thing in't, but that, God willing, I intend to waitt vpon your Lordſhip vpon the 2 or 3 of January; for I am come this length but ſlowely, and vpon my oune horſes, ſoe that nowe they are ſoe tyred that I will be three ryding days att leaſt betwixt this and London. I have ſent this bearer to provide lodgings for me. I can ſay noe more for the preſent, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

GRANTHAM, the 29 December 1642.[1]

For the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber.

appointed by the Scottiſh Council to proceed thither to obtain redreſs. Before leaving, he ſubmitted his Inſtructions to the King, who cauſed them to be iſſued in his own name, judging "he had no reaſon to allow this precedent of his ſubjects inſtructing his agents to foreign Courts." (Burnet's *Memoirs of the Duke of Hamilton*, etc. Lond. 1677, pp. 202, 203.) Theſe Inſtructions are printed on the next page, from a contemporary copy.

[1] This letter in the original is dated 1629, but the day of the month has evidently been ſubſtituted for the laſt 2 figures of the year, as neither the titles of Lothian nor Ancram had at that time been conferred.

$164\frac{2}{3}$ January 10. C. R. INSTRUCTIONS FOR OUR RIGHT TRUSTY AND RIGHT WELBELOVED COUSIN AND COUNCELLOUR [WILLIAM] EARL OF LOTHIAN, whom we haue thought fitt to imploy to our deere Brother, the FRENCH KING, vpon theſe inſtructions following.[1]

YOU are with all convenient diligence to repaire to the kingdome of France, and there to deliver our lettres of credence to our ſaid deere Brother, and to put him in mind of the auncient amity and alliance between the Crownes of Scotland and France, endeavouring the continuance thereof by the renewing the auncient priviledges of our native and auncient kingdome of Scotland, according to the particulars following:—

That noe Acts of State nor Edicts given or to be given out in France againſt ſtrangers may be in force againſt Scotſmen, ſeing they are naturalized Frenchmen.

That the Company of the Guarde du Corps be reſtored to their former priviledges, according to the primitiue inſtitution thereof.

That the ſame demand be made for the Troope of Gens d'Armes.

That the Regiment of Guard under the Earl of Irwin be entertained according to the tenor of the Capitulation, and may be preſently entered in poſſeſſion of the Guard, and that all other particulars be dealt for that can be obteined for the advantage of that Regiment.

That the merchants of both nations may trade in either kingdome, with the ſame libertys, priviledges, and immunities, that the natives haue of that kingdome wherein they trade, without prejudice of any priviledge enjoyed by the Scottiſh merchants in Normandy, which are more than the priviledges enjoyed by the natives themſelves.

You are likewiſe to vrge that the Marquis of Hamilton and his

[1] Theſe Inſtructions are tranſcribed from the copy in the Britiſh Muſeum. (Additional MSS., 15,856, page 10.)

ſucceſſors may be put in the poſſeſſion of the Dutchy of Chattleraut, with the honor and dignity thereof, according to the Patent and Rights made to his predeceſſors therevpon.

You ſhall alſo ſhew that, according to the former alliance betwixt the two Kingdomes, all Frenchmen ſhall haue the ſame libertys and priviledges in our kingdome of Scotland as Scotſmen haue.

When any recreuits ſhalbe deſired from our kingdome of Scotland to the Company of the Guarde du Corps, Gens d'Armes, and Regiment of Guards, you ſhall declare that they ſhall haue liberty of levying thereof in our ſaid kingdome, with the beſt aſſiſtance of our nation for that effect, and further warrant graunted for ſuch other levies or recreuts of entertained Regiments, and, namely, that of the Lord James Douglas, as they ſhall deſire, the condition of our ſaid kingdome being ſuch as may permit the ſame.

Laſtly, you are to vſe your beſt diligence for procuring a ſpeedy diſpatch in this buſines, in which you are to hold yourſelf ſtrictly to your inſtructions, neither omitting nor adding therevnto, but as you ſhall receiue further order from vs or our pleaſure ſignifyed by one of our ſecretaries; and in the meane time you are to giue frequent advertiſements of your proceedings either to our ſelf or to any of our ſecretaries attending our perſon, and no other: And as ſone as you ſhall haue finiſhed the buſines, you are to make your ſpeedy returne to our perſon, whereſoever you ſhall vnderſtand of our reſidence. 10° Jan. 1642.

The Earl of Lothian to the Earl of Ancram.

1643 January 17.

My Lord, I have ſent this bearer to bring my horſes to this end of the Toune. I intend, God-willing, to parte to morrow very early. I have dedicatted this day to my diſpatch for Scotland. If your Lordſhip might ſpare one of your groomes, I would take him at leaſt to Rye, maybe Dover. I have ane bay gelding will not be vnfit for

your Lordſhip. I deſire, inſtead of him, to have your old bay Croppe. When I have ſeane howe many I will take of theſe I have, I will leave the reſt to your Lordſhip. They may be of ſome vſe.—I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

LONDON, the 17 January $164\frac{2}{3}$.

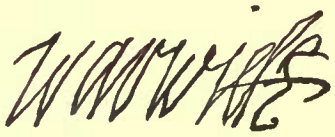
For the Earle of Ancram theſe.

$164\frac{2}{3}$ January 18.

ROBERT, EARL OF WARWICK, to the EARL OF LOTHIAN.

NOBLE LORD, I ſhall wiſh you all happines, and a good voyadge, and a fair wind, and a ſpeedy retorne. I haue ſent your Lordſhip hear incloſed a letter to my Vice Edmirall to giue your Lordſhip a ſhip for your ſafe conveyng ouer ſee.[1] Your beſt way wilbe to goe to the Downes and take ſhiping thear for Deep or Callais, and not to Rye; the winds hanging as they doe, it will be very uncertaine getting to Rye by any of our ſhipps. Thus, with my humbleſt ſeruis to your Lordſhip, I reſt, your Lordſhip's moſt humble Seruant,

18 of January $164\frac{2}{3}$.



For his Majeſtie's eſpetiall affaires,
To my very good Lord the Earle of Louthien,
at the Crowne at Rocheſter.

Poſt haiſt.
haiſt.
haiſt.

WESTMINSTAER, at 5 at night, this 18 of January.

[1] The Earl of Warwick was at this time Lord High Admiral of England.

The Earl of Lothian to the Earl of Ancram.

$164\frac{2}{3}$ January 21.

My Lord, I hope this day once we ſhalbe aboorde. I can write nothing els from this place. I did what I could to put forwarde your Lordſhip's buſines before I came away. The Earle Lindeſay will goe on with it. I ſend backe three of my horſes, ſutch as they are, and take forward two of your Lordſhip's and your groome Douglas. I can from this place ſay noe more butt thatt I am, my Lord, your moſt lovinge and moſt obedient Sonne,

Lothian.

Dover, the 21 January $164\frac{2}{3}$.

For the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber at London.

The Countess of Lothian to the Earl of Ancram.

1643 April 20.

My Lord, I hop your Lordſhip will pardon me that I doe not often wryt, when ye conſider the tymes that allowes not ſaff paſſage to letters; yet I hazred to wryt this letter by this beirrer, in which I take not vponn me to advyſe your Lordſhip any wayes in this purpos I wryt of, leauing that to your owne way; bot only now for my huſbandes abſence, ventis my privatt thoughts, which I ſuld be loath to vtter bot to thos I haue an extreme greatt truſt into; and vnto whom morr then your Lordſhip can I ow that truſt? Your Lordſhip hath heard of the Lord Ker's death. His lady is now brought to bed of a fourth doughter. Ther ar many reportis going that my Lord Roxburgh is about to ſettill his eſtaitt. Your Lordſhip knoweth my intereſt in that houſe. I haue the honour to be comd theroff. My father, gif he wer alyve, wer the narreſt air maill and of tallie to [it]. My ſonne's narreſt in bloode of any (of the maill Kers). Theſe, with many other reaſones, warrily and diſcreitly, and with a great dale of

tendernes, being ſchowne to my Lord of Roxburgh and his lady by ſome nobile freind of note and reſpect, might poſſible be intertain'd be them as a good motioun to entail that leving to my ſonnes, they matching with my Lord Keris doughters,[1] the conditionn being ſuch that the honor and dignitie of the houſe being keept vp in the ſame titilles and precedencie. My Lord, I haue taken vponn me to let your Lordſhip know my wiſhes, which your Lordſhip may be pleaſitt to think vponn, and take the moſt advyſitt way in it. Commiting all ſucces to God, who deallis things hear at his pleaſur, I reſt, your Lordſhip's moſt affectionat Daughter and humble ſeruant,

ANNE KERR.

NEWBATLE, 20 Apraile 1643.

To the right honorabl
my very good Lord the Earle of Ancram, &c.

1643 May 6.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I wrote laſt weake to your Lordſhip, and ſent incloſed a letter for the Earle of Lanericke,[2] which would give his Majeſtie account what I was doing heare. I deſired your Lordſhip would ſend it to the Earle of Lindeſay, that by his adreſs it might goe to

[1] Henry, Lord Kerr, eldeſt ſurviving ſon of the Earl of Roxburgh, married Lady Margaret Hay, daughter of William, Earl of Erroll. He died in 1643, and by a new charter obtained in 1646, the title and eſtates were entailed on Sir William Drummond, on condition that he married his couſin Jean, eldeſt daughter of the deceaſed Lord Kerr.

[2] William, ſecond Duke of Hamilton, was born in 1616, educated at Glasgow, and created a Peer, by the title of Earl of Lanerick (or Lanark), by Charles I., at York, in 1639. He ſucceeded his eldeſt brother, James, Duke of Hamilton, who died without iſſue in 1649; and he himſelf died of wounds received at the battle of Worceſter in September 1651. It is ſcarcely neceſſary to add, that *The Memoires of James and William, Dukes of Hamilton*, by Biſhop Burnet, 1677, contains many important original letters and hiſtorical documents, preſerved among the family archives at Hamilton.

him. I doe the fame nowe, if he be in London or att Oxford. If he be gone into Scotland your Lordſhip wilbe pleaſed to ſend it to the Courte, and deſire, by Sir Phillip Stapleton, Sir William Hermine [Armyne] or Mr. Hampden, meanes that it may goe vnopned to Oxford, or where the Kyng is. For, vpon my credite (which I would not looſe with them), there is nothing in it for there diſſervice, nothing but a bare account in the firſt, of having donne nothing heare, for a fewe priviledges belongs to our nation; and in this ſeconde, that I am beginning to be hearde; that I have beane with the Secretarie and one of the Miniſters of Eſtate, Monſieur de Chavigny, yeſterday, and am againe on Monday next, the ii. of this, to be with him to expoſe what I have to ſay. I write this to your Lordſhip a day or two before the poſte partes from hence, becauſe to morrowe I will lett bloode, and the days after take phiſicke, before this cold ſpring end. Dr. Daviſon[1] tells me he ſhall ſend ſome things to your Lordſhip. I can ſay noe more, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

PARIS, the 6 May 1643.

For the right honorable
my very good Lord the Earle of Ancram, &c.

LORD JAMES DOUGLAS[2] to the EARL OF LOTHIAN.

1643 May 27.

MY LORD, It hath pleſid the King to commend my regiment to goe and ſerue in Itallie, for vich armie ve ar to pert to morrow. Our

[1] William Daviſon, M.D., a native of Scotland, practiſed as a phyſician in Paris, and had the ſuperintendence of the *Jardin des Plantes*, with the title of *Médecin du Roi*. He afterwards eſtabliſhed himſelf in Poland; and was the author of various works on Chemiſtry, or rather Alchemy, according to the doctrines of Paracelſus.

[2] Lord James Douglas, ſecond ſon of William, firſt Marquis of Douglas, entered the French ſervice, and greatly diſtinguiſhed himſelf. He was killed at the ſiege of Douay, October 21, 1655.

Captens and I haue thoght fitting, for the ſtanding of this regiment, to ſend this berar, Captain Rutherfurd, to repreſent to the Miniſters of State the grit neſſeſcite ve ar in, and lykuays to implore your Lordſhip's fauorable aſſiſtance in quhat concerns our ſtanding. He vill ſchaw your Lordſhip our juſt deſyrs. Your Lordſhip vill oblige a number of very brave gentilmen, and I, quho are the laiſt in the quholl Regiment, ſchall deſyre nothing more then the occaſion to teſteffie my ſelf your Lordſhip's moſt humble ſeruitur,

J. Douglas.

Chalon, ce 27 de May, 1643.

A Monſieur, Monſieur le Comte de Louthian.

[1643 June.] Thomas, Earl of Haddington,[1] to the Earl of Lothian.

Right Honorable, I haue taken the boldnes to troble your Lordſhip at this tyme becaus of a propoſition that was made to me by Mr. de Chaſtillon and Madame, who, when they harde of the good ſucces of your Lordſhip's voyage and of the favorable anſwer your Lordſhip hes gotten heir, touching the places and priviledges that did before belong to Scotſmen, which we hear is of new re-eſtabliſch'd to them again, therefore they urge that I ſhall ſeike the place of the Captaine of the Scots Gairde of fyve and twentie, commonly called *la Garde de Manche.* My Lord, it is a thing that was propon'd to me long ago, bot wherto I wold never ſet my mynd untill they did putt me upon it, and yet much leſſe, if I had not aſſurence that your Lordſhip hes no mynd therto, for verie ſhortly ſince, one aſſured me therof who tooke upon him to know it verie well; once, indeid, I hard that your Lordſhip had ſuch a mynd, which made me not aime therat, as I ſhall never at any, wherto your Lordſhip pretends. My Lord, thogh ſo be that it be not granted that that place ſhall be to

[1] See Note, p. 150.

Scotſmen, yet Mr. de Chaſtillon thinks this may be eaſilie doone; for he is confident the Queine wold not refuſe him that, if he ſhould aſke it at hir (which he will doe when he coms to Paris), bot a great deal more if your Lordſhip wold be pleaſ'd to ſpeake to hir about it, and to Cardinal Mazarin. This will be, my Lord, a great favour, wherto nothing can oblidge your Lordſhip, ſaue only out of your goodnes and courteſie, wherof I haue alreadie ſo many provs, that I am bound to ſhow by effect, at evrie occaſion, better then I can doe by any words. Right honorable, your Lordſhip's moſt affectionat and humble ſervant,

HADINGTON.

I did hear that your Lordſhip had a mynd to come to Chaſtillon if your affairs could permitte, and Mr. and Madame de Chaſtillon aſſured me that they wold be exceeding glad to haue the hapines to ſe your Lordſhip befor ye parted, and for my oun part I ſhall be infinitly glad to haue that honnour.

A Monſieur, Monſieur le Comte de Loudian, à Paris.

From ANNABELLA, COUNTESS (DOWAGER) OF LOTHIAN, to the EARL OF ANCRAM. [1643] July 23.

MY LORD AND DEARE BROTHER, If I had wreten to you this long tym, it had bene bot ſad newes of our Sone's ſicknes, and I confes I had him in my armes once that I feared ye ſhould neuer haue ſene him, bot the grace of God is nearer nor the faire euin, and I truſt he is ſpaired now that we may goe before him, who wold taſte bot little comfort if he wer gone; but the will of God be done, and he will doe it, tho' we had ſworne the contraire. To returne to vs, it needs not many words; I am juſt the ſame ye haue euer left and found me, and if I knew to ſhow it bettre I wold to all the world as

well as to yow, witnes how reallie I am your Lo. moſt affectionat Sifter and ſeruante,

ANNABELLA LOTHIANE.

PARIS, $\frac{23}{13}$ 7th.

For the right hono^{ble} the Earle of Ancram.

1643 Auguſt 21.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, By the laſt I wrote to your Lordſhip, ſome three weakes ſince, I ſayd I was neare a cloſe in my buſſines, and that I was going to Chaſtillon to the Earl of Haddinton's marriage.[1] My buſſines is cloſed, but I was hinder'd from going that jorney by a feaver. I ſtrugled with it a whyle, but att laſt it layd me doune. Nowe, I thanke God, I have beane vp againe theſe 4 or 5 days, but ſomething weake with blood-letting and diett. I hope to begin my jorney, God willing, ſhortly. I purpoſe to come by London. Your Lordſhip wilbe pleaſed to make gett me a lodging where yow thinke moſt convenient. I will come only with two three. The reſt are going to Scotland att neareſt. I ſhould be glade to knowe where the King is. I wiſh he be noe farther then Oxford. If he be att Briſtow, as we heare, it wilbe farre out my way. I can att this tyme ſay noe more, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

PARIS, the 21 Aguſt 1643.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber att London.

From my Lord Lothian,
recomendit to the courteſie of Mr. William Thomſone,
Threforier for the Scottiſh armie preſentlie in Ireland.

[1] Thomas, third Earl of Haddington, married Henrietta de Coligny, eldeſt daughter of Gaſpard, Comte de Coligny, 8th Auguſt 1643. He died, while ſtill under age, without iſſue, 8th February 1645.

The Countess of Lothian to the Earl of Ancram.

1643
Auguſt 22.

My Lord, Ye moſt giue me lieue to trubl yow with this. This day I haue got ſuch news as hath both afrightit me and giuen me caues to prais God for that deliueranc our neare frinds hath had. I moſt deſire your Lordſhip to giue me notice how they ar, eſpicially thos I haue moſt intereſt, for I cannot be fully ſatisfied vnles I haue it from your Lordſhip or himſelf, which I deſire erneſtly to heir, and haue it onder with his own hand, otherwys I cannot be content. When I wes euery hour luken for him at hom, that hath bein ſo long away, I got this ſad news to help me to amend of great ſeiknes I haue had ſince I was brought to bed. Bot I recomend him, yow, and all that belongs to vs, to the protection of the Almighty, and reſts, your Lordſhips humbl Daughter and ſeruant,

Anne Kerr.

Newbatle, the 22 Aguſt 1643.

To the right honorable
the Earle of Ancrame—thes.

The Earl of Lothian to the Earl of Ancram.

1643
Sept. 27.

My Lord, Wearie and ſore with a ſhorte jorney, I tooke the neareſt place I knewe. Nowe I am in Mr. Moorheads att the Palatines Heade. I ſhall waitt vpon your Lordſhip ſoe ſoone as I can ſturr abroade. This is only to lett your Lordſhip knowe where I am.—I reſt, my Lord, your moſt lovinge and moſt obedient Sonne,

London, the 27 September 1643. Lothian.

To the right honorable
my very good Lord the Earle of Ancrame,
Gentleman of his Majeſtie's bedchamber—theſe.

1643 October 3.

COLONEL THOMSON[1] to the EARL OF LOTHIAN.

MY LORD, I haupe your Lordſhip ſauely ariuet at Dippe and praye God to bleſſe your journie, and tack you back in good helthe to Scotland. Yeſterday I recuet the incloyſet from Paris, and yeſternicht did ariue in this toune Monſieur de Boie? . . . quom is going to Scotland, ſent by the King.[2] He intendis to paſſe in the ſhip that your Lordſhip ſende his bagage, and is to pairt this daye for Dippe. He came to viſite me, and vas very deſayrous to kenaw of me if your Lordſhip vald goe direclie to Scotland, ſaying that of the general pepel he vas tauld that you ſhould paſſe by Ingeland, bot that ſoume chiffe Miniſtres of Stait tauld him that you vald goe direclie to Scotland, and that thay could not beliue that you vald goe and find the King, bot I did aſſure him of the contrary, in ſo far as I did kenaw. He is a man not very cloſſe for a ſtates man, and is very eſſy in a ſhort ſpece to kenaw alle his conſeption, hauing ſchauet me alle his expeditioune, and tauld me the ſubject of his voyage, hauing ordre not to goe to Ingeland bot direclie for Scotland, carien ane lettre of the King, quhairof the ſubſcription is "à nos tres cher et grande amys les gens tenenn le conſort de noſtre cher frere ley roy d'Eſcoſſe." He caries tua lettres from Monſieur le Dux d'Orleans; the ane for the Marquis of Hamilton, the vther for the Marquis of Argille. He hathe the copie of the propoſi-

[1] "Thomas Thomſon, Seigneur du Manoir, colonel d'un régiment d'infanterie écoſſais, capitaine et premier exempt de la garde écoſſaiſe." (*Les Ecoſſais en France*, par Franciſque-Michel, vol. ii. p. 317.)

[2] Baillie, in a letter to Mr. William Spang, November 17, 1643, writes, "A little Monſieur, ſome agent with letters from the Queen, hes offered to our Counſell the renovation of that League whereof Louthian was treating; but requires us not to covenant with the Parliament of England, and to annull the Acts of our Generall Aſſemblie againſt the Papiſts in the Scottiſh Regiments in France, to cauſe ſet the Earl of Antrim free. He ſtomacks that he has not a quick anſwer. The man ſeems to be of a ſmall accompt. He is delayed till Louthian come." (*Letters*, vol. ii. p. 105.)

tioune and anſure that your Lordſhip maid to the King, vhich he did ſhaue me undeſayring it : he told me his chif erand is to regal your Lordſhip comming to France, and to aſſure the Scots of alle ſorte of fauour, courteſie, and frindſhip of the Frenche, deſayring the remaining of the aliaunce, and alſo to releſe the Erle of Antroum, vnder promis quhairof the Quine of France ſhal paſſe her vord that he ſhal not carie the armes agains the contrie of Scotland, and eſtimes that he ſhal obtin it, ſeing that the Parlement of Ingeland hes relaeſit the Counteſs Derby at the Quine's deſayre. He intendes alſo to hinder any aſiſtance by the Scots to the Parlement, and of his negotiatiounes he is to goe and ſhaue them to the Conte de Harcourt, quom is partit from Paris by vaye of Callis in dilligence. He beliues that the Conſel of Scotland ville be very ſatisfiet of the anſurre giuen to your Lordſhip, and if thay ſhould tack faire vordes for redy monnay, he is ane gentelman of ane ancient houſſe of baſſe Normandie. I intreite your Lordſhip to continu touard me your fauour; and in caiſſe any think paſſe quhairin I may be preferet, ayther of the lieutenant or enſigne place of the Gards, your Lordſhip ville be pleſet to remembre of me. I praye pardoune my bauldnes, that I tack to troubel you, but the many-fauld courteſies and fauoures quhairof you haue bein pleſit to honnour me, giues me the liberte thairof. Bot in quat I, or any that perteins to me, can or ſhal haue any power to render you any ſeruice, it ſhal be effectuat vith joye, and ſhal eſtime it to [be] ane grit honnour. I ville yet intrite your Lordſhip to tack the paynes quich you ſhal vrait to Monſieur de le Ferte to recommend me to him, and to ſuporte me in caiſſe Monſieur de Chandernier vald vrang me out of reſon or pourpos, for your Lordſhip kenaues that he is michtelie incenſit againes me.

I haue recevet alle your Lordſhip's bookes from the printers. Thay ſhal this day be inbarket and ſent to Dippe. I ſhal reſſive the tua fates of hininges and the carpetes. I haue giuen ordre to mack the tuelf chaires, tua fauteiles, and ſax falding ſtulles, and carpets of moncade. I intrite your Lordſhip to aduiſſe me if you deſayre the chaires to haue

the moncade nellit to the chaires with clondore, or if the couering ſhal be maid lauſſe, as thos vthers was maid in Paris for your *lit de campagne.* Thay maye be taken out of the chaires quen thay pleze : for me, I think them better lauſſe then faſſen, bot conforme to your Lordſhip's deſayre thay ſhal be maid. My Lord Yruin goes to Germanie vith his regiment, that is not to ſend them back to Paris to enter in guard beſaid the King. So, praying God for the good helthe and proſperite of your Lordſhip, I ſhal continue ſo long as I liue, my Lord, your moſt humble and moſt obedient ſeruiteur to be euer commandet,

THOMSON.

ROUEN, the 3 of October 1643.

The richt honorable and potent good Lord,
my Lord Erle of Lothian, at Dippe.

1643 November 1.

The COUNTESS OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I thank your Lordſhip for that cair had to acquent me of my huſband retourn, which, I thank God, wes recouered of a greit ſicknes in France; bot when he becam ſo wel to com to Ingland, I expect he ſuld com hom the hee way. Trewly, nather I nor any hear wold a giuen him that advys to ſuch a interpris, nor wold many that wes wel efectit ther, or loued him, wold giue hime that aduis to caſt him ſelf in ſuch a ſeen dainger as he hath put himſelf into. It is trew God may preſerue him, and I hop he wil, yet we ſuld not tempt him wher ther wes no neſeſatie. Yow moſt giue me liue to complin. My los is mor nor any can claim to, and my intereſt in him is mor nor all the world, ſo that none by him hath lookt with thos eys to his dainger as my ſelf, albeit I wold be very cairful and tender of his honor if it had layen on it, bot it was thought not neſafarie, that jurnay I maen to Oxford. I hop your Lordſhip will perſuad him to take him ſelf to his contrie and hom, for when one hath trayed al ſorts of liff, it wilbe fond the beſt and moſt contentment at the end,

to liue as they ought with wiff and children. With the help of God, I ſhal ſtriue to perform that my dewtie to my children; bot it will not frie him for not performing his part both to them and me. I mein ſo much abſenc. My Lord, I hop ye dout not of my part, ſo far as belongs to me, ather in one way or other, which wes my greateſt deſir to haue him pleaſed. As for his affairs, trewly it cannot be expectet they can goe ſo well that hath not luk to them thes many years for publick imployment; if he will take vp himſelf, I dout not bot God is maken vp for his and my children. This is all I will expres of this. So if your Lordſhip, acordin to your intention and promis, com to ſee your frinds and children hear, I will preſoom to ſay, in the Scots faſhion, ye ſhal be welcom. Ye will pardon me for trubling yow with ſo much deſcurs; bot when ye conſider with what effection and feare I cannot ſhow, ye will take it as from your Lordſhip's effectionat Daughter and humbl ſeruant,

ANNE KERR.

NEWBATLE, the furſt of Nouember 1643.

To the right honorable my very good Lord
the Earle off Ankram.

The EARL OF ANCRAM to the EARL OF LOTHIAN.

1643 December 6.

I GOTT the lettre yow ſent me from Oxford when yow pairted from it.[1] It came to me the laſt day of November. Yow myght eaſily think it affects me, as I am naturally bound, and yet I ſhall carye my ſelf as diſcreetly carefull of yow as God will give me grace, wheroff yow ſhall heare by all the oportunityes I can fynde. I do not heare there is any change in your famely, nor is there any in myne, God be thanked.

[1] "My Lord Louthian, againſt the law of nations, and without anie cauſe we can yet hear of, after ſome weeks reſtraint at Oxford, is now ſent priſoner to the Caſtle of Briſtoll." (Baillie's *Letters and Journals*, vol. ii. pp. 115, 116.)

All prayeing for yow, eſpecially for your health, which is the preſent moſt eſpeciall care of your moſt loving Father,

Ancram

6 December 1643.

Our mutuall affection muſt not be judged now by our frequent intercourſe of lettres; but I ſhall miſſe no occaſion which I think may get thoroughe to yow; yow will do the lyke.

For the Earle of Lothiane in Briſtoll.

1643 December 14.

The Earl of Lothian to the Earl of Ancram.

My Lord, I have reſaved this day by a trumpetter ſome lettres from my Lord Maitland. I wondered that I found not a lyne vnder your Lordſhip's hand, for it is much contentment to me, when I cannot ſie the perſones of thoſe I deſyre to ſie, to ſie their hands and names at leaſte. I have written latelie to your Lordſhip, and now I can adde litle but to ſay that the courſe of phiſicke that I wes neceſitat to enter into before that lettre wes written, I ame yet in it. I have onely this deſyre to your Lordſhip that yow wilbe pleaſed to deale with his Majeſtie your maiſter, whome yow have ſo long and faithfully ſerved, that I may be permitted to be priſoner at your houſe at Kew, where I may be ſicke or dye, if it ſhall ſo pleaſe God, and have in either of theſe, the comforte of my freinds. I have many thinges in my privat affaires to order wherein your Lordſhip wilbe concerned, and my children. Whatever offence I have done or comitted againſt his Majeſty, which I yet know not, yet your Lordſhip, nor they, have done none. If it ſhalbe ſaid I will not be in ſurety their, and may eſcape or have communicatione with theſe his Majeſty wolde not I ſhoulde, I can only ſay, give yow aſſureance I ſhall doe neither the one nor the other. And I had rather dye then that you ſhould fall in your Maiſter's diſpleaſour for me. The aire is ſo ill heere, and I take ſo

ill with it, and the litle roome and accomodatione I have, that I can not holde out long heere.[1] I doe beleive his Majeſtie layes nothing done to my charge. What I may doe is all there. If I had alſe much will to doe ill as is imagined, yet I ſhall not be able. I am forced to ſend this vnder another hand then my owne, becauſe it is bound vp yet. I ſhould have writte no other purpoſe neither, nor have I more to ſay, but that I ame, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

BRISTOLL CASTLE, the 14 of December 1643.

Your Lordſhip wilbe pleaſed to ſend this incloſed lettre as it is directed. The Lord Maitland will give it the beſt adreſſe.

To the right honorable
my very good Lord the Earle of Ancrame,
Gentleman of his Majeſtie's bedchamber at London.

[1] Baillie gives the following account of the ſeverity of Lord Lothian's impriſonment:—"As for the State, we were moved with the injurie done to Louthian at Oxford, that when all calumnies were clearlie diſcuſſed to his Majeſtie's full contentment, and he expected certainlie to be diſpatched to-morrow for Scotland, coming, according to appointment, to kiſs the King's hands, he is preſſed to ane oath not to bear armes without expreſs direction from his Majeſtie. When herein he alleadged conſcience, he is deſyred to advyſe while night; bot before noon he getts a warrand to goe priſoner to Briſtoll Caſtle, upon the King's meer pleaſure. When he came hither, he had bot one narrow roume alloted to him, and that of bare walls, to be pleniſhed at his coſt, with furniture, all to be left to his jaylor. At nine o'clock he was locked in his alone, without his page, till the morning; being ſicklie before, melancholie encreaſed his diſeaſe; ſo he took phyſick at night. When it began moſt to work, no man was permitted to be with him. This barbarous uſage was lyke to coſt him his life; and the word went that he was dead. When his man came to Oxforde, to informe the King of his danger, the Earle of Forth, Traquaire, and William Murray, were his good friends. The King diſavowed any ſuch warrant from himſelfe to keep him ſo ſtraitlie; and gave order that he ſhould have the libertie of the whole towne." (*Letters*, vol. ii. p. 124.) The date of Baillie's letter is January 1, 1644. The rigour of his impriſonment ſeems not to have been relaxed, judging from the Earl's letter to his wife, dated February 10, 1644.

1643
December 26.

The Countess of Lothian to the Earl of Ancram.

My Lord, When I wret laſt to your Lordſhip I had not hard of my huſband his detainment at Oxford at the furſt. Altho I had that ſam ocation to a wret againe to your Lordſhip, I committed all to the berrer, Docter Lightone,[1] who culd tell yow my cas and the poſter I was in, with ſuch a multitud of griffs and fears, which ſims ther was too much caus, which, as I aprehended at the begining, it is fallen out. Seing it hath pleaſed God to try vs all for him, thos who hath bein the inſtruments to perſuad him to that jurnay, they may haue a griued harte for wronging both and the prejudis to his cuntrie and frinds, and dainger to him ſelf, for I kno he is not of ſo ſtuborn an diſpoſition bot he wold ben perſuaded to a com hom. If not, your Lordſhip might a commanded him. So, if your Lordſhip haue had any hand in it, I humbly intreat, as euer ye wold ſtuddy the moſt acſeptableſt favour to me in the earth, vſe ſuch means as can let my huſband be ſet frie and ſent home, who ſuffers ſo onjuſtly by thos whom, may bee, will repent when they can not mend it or it be long. The Cunſal leter was ſlighted with a complament, bot Scotland ſhal get littel reſt be me till they ingadg them ſelfs mor and mor, which they ar ſo ſenſabel of his ſuferings as if it war every on of them ſelfs. I truſt in God they will take ſuch curs and vſe ſuch means as can be thought fitteſt for him. I truſt the Lord ſhall kep him from the moſt ill of his enimies. I only greatlyeſt feare his health. God uphold him now in

[1] Dr. Alexander Leighton, father of the celebrated Archbiſhop, was educated at St. Andrews, and afterwards at Leyden, where he obtained the degree of Doctor of Medicine. For ſome time he filled the office of miniſter to the Scottiſh Church at Utrecht, but reſigned on account of ſome differences regarding the holidays of the Church. But he is chiefly remarkable for the cruel perſecution to which he was ſubjected, eſpecially on account of his work entitled, *An Appeal to the Parliament; or, Sion's Plea againſt the Prelacie* [1628]. His releaſe from impriſonment was effected during the ſitting of the Long Parliament in 1641, in which year his ſon was ſettled as miniſter in the pariſh of Newbattle. He died in 1644.

the day of his trubl, and in his time deliver him. It is for us to vſe the means, and it ſuld not be negleacted. I thought to a com vp to London that I might bin ſo much neirer him, bot my frinds will not give me liue, for hazerd to me in the jurnay, which willingly I wold ondertaken at whatſoevere a reatt. Bot, ſeing I cannot get liue, I hop ther ſhal be a gud number of frinds befor me; and if my huſband be not ſent hom, I ſhal, with the healp of God, com be ſea, aſoon as I can hazard, for I had never my fut on the ſea, and if I might, I reather goe throw manie armies be land as on myl be ſea.—I reſt your Lordſhip's effectionat Doughter, and humble ſeruant,

ANNE KERR.

NEWBATLE, the 26 December 1643.

To the right honorable
the Earle of Ankrame, at London.

THOMAS HALYBURTON to the EARL OF LOTHIAN.

$164\frac{3}{4}$
January 9.

RIGHT HONORABELL, Hoping thes letters will ſufficiently excuſe my long ſtay till now, and being commandit by your Lordſhip's freinds heire to ſtay longer yet for further diſpaches, I was advyſed to ſend, by this bearer, this cloak-bag for the Deputye-Governour, Sir Francis Haulye, to Briſtol, accompanyed with thes opin letters redde heare, wherein is found nothing prejudicial to any. Two or thrie dayes hence, my Lord Traquaire intends to be with your Lordſhip, at which tyme I hope he will (as he hes promiſed) excuſe the neglect off your Lordſhip's moſt humble and obedient ſervant,

THO. HALYBURTON.

OXFOURD, the 9th off Jan. $164\frac{3}{4}$.

For the Right honorabell his Lord and Maiſter,
the Earl of Lothian, Briſtol.

1644 [January.] PETITION from the COMMITTEE OF ESTATES to KING CHARLES THE FIRST, for the releaſe of the EARL OF LOTHIAN.

MOST SACRED SOVERAING, Having hard diverſe rumerrs of the Erle Lothean's reſtraint, and having this day receaved a petitione from his Lady in his behalfe, althowgh the confidenc we have of your Majeſtie's royall juſtice will not ſuffer vs to give beleafe to any ſuche furmiſe, yett the dewtie wee owe to your Majeſtie, and reſpect to the juſt liberties and freedom of this Kingdom, dothe move vs to put yowr Majeſtie in remembranc, that, as the ſaid Erle his imployment and negotiatione was for the priveledg and immunyties which yowr Majeſtie's ſubjects of this contry did injoy in France, and the Alliance betwixt the Kingdoms, ſo was hee, by your Majeſtie's ſpetiall warrend and awthortie, direct from the Counſell, who are intruſted with the adminiſtration and government of affairs for the good and peac of this kingdom; and for further demonſtration of his dewtie and of the reſpects of your Majeſtie's Counſell, from whenc hee was ſent, hee made his adreſſe befor his going to France, to receave yowr Majeſtie's commandements, and vpon his returne com to give yowr Majeſtie ane acount of his negoſiation, then which wee knew no way could better witnes the high regard wee have of yowr Majeſtie's royall awthortie, without dirogating from the lawfull priveledgs and freadom of this yowr Majeſtie's antient and native Kingdom, which being taken in yowr Majeſtie's conſideration, and pondering in the ballance of yowr rightews jugment, how much all kingdoms and ſtaits are intereſt in the faſtie or fredom of ther Legats or Comiſſioners, whither ſent by ſubjects to ther owen King or from on Kingdom to ane other, wee truſt that yowr Majeſtie will not give place to any ſuggeſtions or obligwis which may ſo much reflect vpon yowr Majeſtie's honor and juſtice, or give juſt cawſe of greiff or diſcontent to yowr Majeſtie's good ſubjects, who cannot bot interprett what is done to ther Legatt or Comiſſioner to be done to ther Stait heir; and give hee heath com-

mitted anything (as wee hoyp hee heath not), during the time of his negoſiatione, agains yowr Majeſtie or the Contrie, the fundamental laws and the independanc of this Kingdom, and the practice of former tims, doe reqwayr, that hee be tryed and judged att hom, in a legall way by the ordinarie gudicatorie of this land, which maks vs erneſtly intreat for his libertie and faftie from all reſtraint (give any be) that hee may returne and mak knowen to vs the effect of his imployment; and we are confident that this our humble and juſt deſyrs, which is fo fuitable to the law of nations, to the fredom of this kingdom, and to yowr Majeſtie's juſtice, will not be denyed to yowr Majeſtie's moſt humble and faithfull fubjects and fervants.

Endorſed—Copy of Petition of Committee of Eſtates of Scotland, to Charles I., in favor of William, Earl of Lothian.

John, Earl of Traquair, to the Earl of Ancram.

[1644] January 22.

My Lord, The petitione quhich your Lordſhip ſent to Oxfurd in favores of your Lordſhip's ſonne, the Earle of Lothiane, was preſented to his Majeſtie: he reſaved it graciouſlie, and quhat hes followed therupon is foe weell knawen to this bearer, that I fall not nead troubill your Lordſhip with any thing concernes that buſines; and be confident that nothing ſall be wanting quhich can cum within the compas of my powar, to witneſs my thankfulnes to him, and that I am your Lordſhip's faithfull freind and ſervand,

Traquaire.

Oxfurd, January 22 [1644].

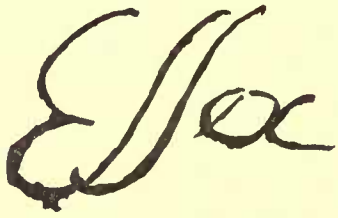
For the right honorable the Earle of Ancrome.

$164\frac{3}{4}$ February 1.

PASS from the EARL OF ESSEX to THOMAS HALYBURTON.

LET the Bearer heirof, Mr. Thomas Halyburton (ſervant to the Earle of Lothian), with one ſervant and two horſes, paſſe your guards from London to Oxford, and from thence to Briſtoll, and to returne backe againe without interruptione, provided they carry no letters with them prejudiciall to the State. Date, 1 February $164\frac{3}{4}$.

To all thoſe whom it may concerne.



$164\frac{3}{4}$ February 10.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I receaved yeſterday your letter of the 2 February and what was incloſed, with which yet I fynde noe effects of, for Mr. Hallyburtone, after nyne weakes ſtay, to me as wiſe as he went from me. Soe I am beatten from worldly meanes which I vſed but (as I thought I was bound) as the ordinarie meanes. I thinke noe more of that. I have donne my deutie. I reſt vpon God. Jhon Ruther-foord, may be, wilbe the bearer of this. Whether he be or not, he carieth himſelf well and ſoberly. If he come, lett him returne with any thing come to me. I ſhall not ſeeke another barber then him your Lordſhip writes yow had beſpoken. I deſire one comely, and of a reaſonable ſize, that things of myne may fitt him. What any mans parte have beane concerning me, troubles me not; God's will be donne. I relye vpon him. I will nowe nether write to my lady nor brothers nor ſiſters. Let them ſee my love and ſervice in theſe. I ſee noe appearance I ſhall in haſte have vſe of any horſſe or coach: patience I will only neade. All I deſire nowe is but a chamber

where I might have ten paces of a walke. I am made giddie with turning in narrowe circle. I am ſtill phyſiking with ſmall ſucceſs. I am oppreſt with a continuall paine vpon my right ſide, about or vpon my liver. It takes away my ſleepe, and it is impoſſible for me to reſt never ſoe litle vpon that ſide. Our ſoules are ſtill boaring for a paſſage out of a ſtraitte priſſon, and it fyndes it att ſome place or other. God's wilbe donne with, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

BRISTOLL, the 10 February $164\frac{3}{4}$.

I ſhould be glade to knowe that my Lord Somerſett gott the letter I wrote to him from Oxford. I pray your Lordſhip remember my humble ſervice to him.

The right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majeſtie's bedchamber att London.

The EARL OF LOTHIAN to the COUNTESS OF LOTHIAN.

$164\frac{3}{4}$ February 10.

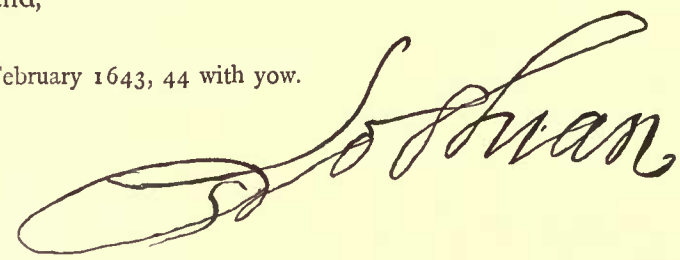
SWEATE HEART, I can not always gett occaſions to write to yow att the diſtance and in the condition I am in, ſoe I deſire yow to impute it to nothing elſe yow heare not oftner from me as yow have donne formerly. I may ſay backe againe I heare as ſeldome from yow, for ſince I have beane in the poſture I am in, I have but gotten three letters from yow—one by William Borthwicke, ane other of the laſt October, and yeſternight one of the 13 January. And theſe two laſt I will nowe anſweare, for by William Borthwicke I anſwear'd that he brought. It ſeames, by your letter of the laſt October, yow have not knoune the cauſe of my ſtay heare, ſeing yow taxe me for not coming home. Certainly, I could not a day ſooner have come out of France then I did, vnles I ſhould have left the

buſſines vndone I went for: for the Kyng of France's ſicknefs keept me more then 3 months there before I was heard, and the matters I propoſed tooke vp, after that, neare two months; when that was not well ended (for I gott my anſweare when I keept my chamber) I fell ſicke, and out of one ſickeneſſe into another. I was more then two months before I was well recovered (I made futch haſte homewards—more haſte then good ſpeede) I came away, and tooke my jorney towards the ſea-ſide by watter, becauſe I was not able neither to travell in coach nor on horſebacke. I ſtayed not eight days in London before I went to Oxford; att my firſt coming thither I was detained. There I was ſeaven weakes, then committed priſſoner to this place, where I have beane twelve weakes more. By this yow may perceive what hath kept me from home; ſo this is ane anſweare to your letter of the laſt October. I have next your letter of the 13 January. That I am a priſſoner (which yow ſay can not be beleaved in regarde of my innocencie) is moſt certaine, and in a narrowe anough one, and very well garded and looked, if three men within the litle room I am in, and two muſkettiers att the doore without, be ſufficent to looke to me, beſides being within a ſtronge caſtle, where there is a ſtrong garriſoune of ſolders, and that within a greate toune, gariſouned proportionally. If this be not anough to make a man ſure [who] hath noe other armes then a penknife in ane etuy, I knowe not: notwithſtanding of all this, I intreate yow be not troubled. God is ſtronger then all theſe, and can deliver when and how he pleaſes, and will in his oune tyme, which I waitt for and beleave. Therefore I make not haſte. All God's judgments are juſt, and in faythfulnes he afflicts, the ſighing of priſſoners come before him, and by his greate pouer he can ſave thoſe apoynted for death, and can deliver from the expectation of enimies. I truſt and have my refuge vnder the ſhaddowe of his wings till theſe ſtormes paſſe, and whatever befall, Heaven is as neare the Caſtle of Briſtoll as Newbattle; and although I want, in the condition I am in and in any I may be in, the comfort of neareſt friends, I hope the Lord will ſend me the Comforter, and will proportion his conſo-

lations to my troubles. Therefore, againe, in God's name, I deſire yow be not troubled, nor grieved, nor impatient, but give me over friely into God's hands, whoe only can deliver me, and will, if, in his greate goodneſs and wiſdome, he thinke it fitt. If he doe otherways (as his wilbe donne in earth as it is in heaven) he will abondantly ſupply any want yow or my children may have in me; for in him the fatherleſs fynde mercie, and yow will a huſband. I recommend the children to your care as mutch as you can, and yow and them to God: for my affaires, looke vpon them as carefully as may be. I neade not write any more to Marke Cass concerning them. I have had experience of his care, and I have written to him ſeverall letters alreadie, but have heard nothing from [him] againe. For my health, which yow inquire after, it is thus and ſoe, I am in a place where there are helpes to be had, and I make vſe of them nowe and then; for the preſent, I am, I thanke God, as yow have ſeene me, and as I have beane this yeare or two, rather in a languiſhing then in any greate appearing diſtemper. Soe, if God will, I may put a good whyle aff thus. For money, I have beane better provided, becauſe I did not thinke of this ſtoppe, I wrote to yow to make ſend ſome to the Lord Maytland att London for me; but I have not heard of any yett, and if a friend had not furniſhed me I ſhould have had none long ſince; for I have noe truſt, nor friendſhip, nor acquaintance, in this place. Tell Lilias if ſhe and her friends, that att another tyme have beane in this place, were nowe, it would make the tyme ſeame mutch ſhorter to me, yett I ſhould be ſorry they or any friend were heare now, as affaires goe nowe. Your letter came to me, I beleave, vnſeane on the inſide, as did the other two likewiſe. Yett lett not that make yow thinke but it is twentie to one, others have not the ſame fortune, and theſe come lateſt will fynde the paſſage hardeſt. Leave not aff to make ane end of your building, and to make it habitable, and be carefull of my books and things came out of France. I wiſh I had a note of the things came, and what is come ſince from Mr. Clerke, out of France, ſince William Borthwicke came home with the firſt. I pray yow be

dilligent to gett Mr. Clerke payment according to my bands, and lett me knowe what is donne in that particular. Theſe are noe State matters. Remember me to my friends in Newbatle. Let Margaret Faſide be her particular commandatioune. God bleſſe yow and your children. I recommend Anne to your particular care.—I reſt, your moſt lovinge huſband,

BRISTOLL, the 10 February 1643, 44 with yow.



I have receaved the incloſed paper with your letter. It was mutch ſatisfaction to me, and mutch contentment in my ſufferings. That yow may ſee I have yett hope to come, I deſire yow to make Mr. Ayton dreſſe the vndermoſt chimney in the greate hall with the two pillars as he ſhowed me the deſigne; but nothing els on the toppe of that, nor vpon the greate chimney. I would have the ſole or harth of the chimneys taken doune as low as the flooring. I deſire the chimney in my ſtuddie to be dreſſ'd alſo according to the deſigne, and the harth taken doune to the floore likwiſe, and the fore-chamber chimney dreſſ'd alſo.

There is a clocke in my ſtuddie, if it be not made vſe of, it will ſpoyle. Take it out and vſe it in your chamber. The fore chamber chimney likwyſe, Mr. Ayton hath the deſigne how it ſhould be donne. The falſe brace in the ſtuddie muſt be ſunke doune proportionably to the lowring of the harth.

For the Counteſs of Lothian,
att Newbattle, in Scotland.

WILLIAM MORRAY to the EARL OF LOTHIAN. 1644 March 8.

MY LORD, I haue this forthnight kept this encloſed warrant, being in a continuall expectation of your full releaſe by ane exchange for Mr. Goring, & in that reſpect conceauing a ſhort remouall ufeles I forbore the ſending [it]. Yet, being ignorant of the time & your accommodation, I thought beſt at laſt to leaue to your owne election. Traquair & I detaine your Lordſhip's ſeruant in hourly expectation of the Trumpeter's returne, & I am confident it will receaue a preſent diſpatche, for my Wife hauing gott a paſſe is gone to Ham, & I am certaine will be a dilligent ſcollicitour. If it ſucceed not, I hope to prevaile for ſome better accommodation, according to the contents of your laſt letter. In the meane time I reſt, your Lordſhip's moſt faithfull humble Seruant,

W. MORRAY.

Oxford, 8 Marche 1644.

JOHN, LORD BALMERINOCH, to the EARL OF ANCRAM. [1644] March 11.

MY LORD, I haue kept a diſtance with your ſon ever ſince yow ſent him to Oxfoord, becaus I loue not to write compliments in theſe ſad tymes, nor what I write ſeriouſlie ſhould be knowen to any bot our ſelues. I hope he wilbe ſo happie as not ſtand vpon *point d'honneur*, when his owne ſafety and what hee is worth to his friendis, and all hee oweth himſelf to, is in ballance. Therfore, I pray your Lordſhip haſt him home where ill bairnes are beſt heard; and I hope by that tyme there ſhal be no place voide for him in our army, ſo as I promeis my ſelf ſo much the more of his ſociety that we may liue contented, continuen free from thoſe perturbationes of Court and Campe, which were never much affected by your Lordſhip's faithful freind and ſervand,

BALMERINOCH.

EDINBURGH, xi Marche [1644].

For my verie honorable good Lord, the Earle of Ancram, Gentleman of his Majeſtie's bedchamber.

[1644] March 13.

JOHN, EARL OF TRAQUAIR, to the EARL OF ANCRAM.

MY LORD, Altho the exchange of my Lord Lothiane with C. Gowrin [Goring] hes taken more tym then was wiſched, yit, ſince now all difficulteis ſeam to be remoued, it reſts only to returne the reſolutione craued be this meſſage, with as muche diligence as may be. And in this, as in every thing els, I ſall wiſche your Lordſhip all contentment, and ſall euir approue my ſelf, your Lordſhip's faithfull ſervand,

TRAQUAIRE.

OXFURD, Marche 13 [1644].

This was intended to haue cum be the trumpeter, ſoe I hope he ſall be upon his returne befor this can cum to your handes.

For the right honorable the Earle of Ancrome.

1644 March 16.

The COUNTESS OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I reſaiud your letter tuo days befor my huſband's cam to me. I thank your Lordſhip for your good counſal to me. If I made vſe of all is beſtowed on me of that kind, I ſhulde not a wanted ſufficient courag aganſt al that hath befalen me. I take't from God, and I wait for his deliverance. Your Lordſhip moſt giue me liue to think I hau ben wronged by thos of his frinds was ther, did not hinder him of ſuch a haſardes enterpries as he ondertook. Nowe I hear God hath made a way for his releas, I hop none will advice him to refoos the ſam, albeit [it] wer not ſo honorabl as it is. Is it now a time to luk to points? No, ſertanly; get him fre, and then we talk. Albeit your Lordſhip's opinion is that many mothers wold be glad ther ſons, huſband, and ſo, were mewed vp from ſuch imployments, is afut (it is not mine). If it pleaſe the Lord that he com to London, I requeſt your Lordſhip to perſuad him to haſt hom, and I ſhall aſoor

yow if I have anay pouer with him, which I never had yett at his hands pouer to perſuad him from trauel, I ſhall vſe it and beg it, to ſtay at hom and recover health and ſtrenth, and not put him ſelf in any hazart; for when all contris is tryed it will be fond hom is the beſt of it. Bot ſeeing it hath been his misforton to mach with me, and my good forton to mach with him, I ſhall ſtriue to make vp as much as I can in loue, reſpect, and obedience to him, whom, indeade, deſerus mor worthy be tenfold then ſhe who claims moſt right to him in the world. It is no littl contentment to me that my Lord Maitland is in that place, who is not a ſuperficial frind, but reale. I was neuer ſo well ſatisfied with any of all your doings is ther, as with his. He was the furſt aquented vs with Eſſex offer, and ſtill he hath ben doing ſom thing. I will think of euery body and every frind of myn and his, as they behaue them ſelfs at this time toward him and me. I haue trubeled your Lordſhip with dolours. I ſtuddy not on it, for I haue a priveledg amongeſt my oun, and I deſire the ſam with thos ſuld be as my oun, who ſhall never deſerue any other at whos hands I reſt, your Lordſhip's affectionat Doughter and ſeruant,

ANNE KERR.

NEWBATLE, the 16 March 1644.

Your Lordſhip told me your man brought my letter from Breſtol, and yet they wer opened by the way or my Lord Maitland got them: nather he nor I ſhal meddl with Stat maters.

To the right honorable the Earle of Ankrame, at London.

JOHN, EARL OF TRAQUAIR, to the EARL OF LOTHIAN. 1644 March 20.

MY NOBLE LORD, The trumpeter who went to the Earl of Eſſex is not as yit returned. We look for him hourly, and he is no les wiſched for now be C. Gorines freindes then be the deſyres, if it ware

poſſible to haue ſean yow befor they hade parted from this place. We reſolve to keip both your ſervands heir this night, and if ther be no word from Lundon out befor the King goe to bed, we intend to ſend one to-morrow to Lundon quho will eaſily returne the nixt day. This delay muſt proue faſchious, but I beſeache your Lordſhip not to ſuffer this or any thing of this kynd troubill your mynd, eſpetialy ſince it can not be of any conſiderable tym. If I be not allowed to ſtay your cumming, our freind will for yow. Soe, wiſching your Lordſhip all healthe and happines, I reſt, your Lordſhip's humble ſervand,

TRAQUAIRE.

OXFURD, Marche 20 [1644].

To the right honorable the Earle of Lothiane.

1644 April 6.

The EARL OF ANCRAM to JOHN, LORD MAITLAND.

MY LORD, Your Lordſhip ſent me this lettre heire encloſed, which I returne to your Lordſhip, that thereby yow may ſie approved by our deere frend my Lord Balmerino, the waye that I tooke out of the publique rewles to ſolicit for my Sonnes releaſe; which God hath ſo bleſt, that the more I think of it I am the better content, eſpecially that my Lord Balmerino's lettre, if it had cumd as it was dated, would haue directed me to haue followed it as I did; and when it is knowne how your authority trubled my privat deſyre to make it take heere, your Lordſhip will get your dew thankes from our frends at home; and whatever God do with him heirafter, your Lordſhip neid not blame me for doeing amiſs out of fond fatherly affection, ſo to leſſen him by his vnequall exchange. I thank God he is out of that vnequall place, and ſo beloued among yow, the greatt rewlers of the tyme, that his Father can not gett leaue to enjoye his company, who am in my cloyſter, your Lordſhip's humble Seruand,

ANCRAM.

6 Apryle 1644.

Iff your Lordſhip be pleaſed to lett my ſonne ſie my Lord Balmerino's letter, when yow both haue redd it, I deſyir it back agayne.

To the right honorable Lord, my Lord Maitland.

Notes by the Earl of Lothian of the Proceedings of the Army ſent in Purſuit of the Marquis of Montrose.[1]

1644 September.

I parted from Edinburgh the 4 September 1644; came that night to Sterline, where the Marquis of Argyll was, &c.; was that afternoone with the Committee of the Shire, for putting out there men, which was reſolved ſhould be inſtead of all, only as the firſt expedition into Ingland; they were to come to a rendezvous vpon the Saterday, three days after. The Marquis and I wrote to the Committee our purpoſes and intentions. I ſubſcribed with him a protection for debt to the Earl of Airth for four days, for it was thought fitt he and others in Sterlineſhire and Menteith and Strathern ſhould be ſent for, whom we were not confident of. The Earl of Perth and his daughter in lawe came to the Marquis this night; he was deſired to come in.

The 5 September I went and looked in what condition the Caſtle was in, which was not as it ought. There were letters and directions ſent to the burghs and the north; in the afternoone Sir James Hackett march'd with the Marquis of Argyll's troope to waitte vpon the enimies motions; my regiment came in in the eavening.

[1] Montroſe, having raiſed an army compoſed of Iriſh and Highland troops, overran the north of Scotland, and defeated the forces oppoſed to him, under Lord Elcho, at Tippermuir, on September 1, 1644. The Marquis of Argyle and the Earl of Lothian were appointed by the Committee of Eſtates "to go againſt him." "They levied very quickly the men of Stirlingſhire, as alſo brought Lothian's regiment, which not long before had come over from Ireland, and with thoſe they marched forward upon the tenth to St. Johnſton, where the people of Fife met them, as alſo two regiments of horſe from Newcaſtle, called home for that end, viz., the Lord Bargenny's regiment and Sir Frederick Hamilton's." (*Guthry's Memoirs, Glaſgow*, 1747, p. 167.)

Late att night we wrote a letter to the Committee of Eſtates, telling the cauſes of our not moving, and deſiring meate, and ſome money for incident charges. This day the Committee of war of Linlithgowe ſent a gentleman to vs, telling there Shire were at Fakirke. We concluded to accept from them ſutch proportions of men as went in the firſt expeditione; lykeways the Shire of Edinburgh principall ſent William Murray from Linlithgowe to ſhowe they were in ſome numbers advanced; ſoe we wrote to them what we had deſired the Committee to demande from them for there whole number, inſteade of this two good troopes of horſe and 100 dragooners.

The 6 September, Fryday, there came letters from the Committee which we anſweared att night. Likewiſe from the Provieſt of Edinburgh, concerning there companies, which were alſo anſweared. The quarter-maſter of theſe companies came to gett orders whoe werre commanded to come for Sterline from Lithgow, where they had ſtayed. Sir Robert Drummond and Maner came this day to offer for Linlithgow ſhire a troope of horſe and one hundreth dragooners, for the men they ſhould putt out. This we were content of, and wrote to the Committee to accept of it. There was this night a herang betwix my men and the Marquis of Argyll's. We ſent ſome to St. Jhonſton to knowe of the motions of the enimie, and the Lord Gaſke came in to vs, whoe reported there barbarities,[1] and that they were about Scone.

The 7 September letters came to vs from the Committee, and we returned anſweares by Lawers. We gott likewyſe [letters] from Dundee and Fife, and Sir James Hackett, the Lord Gordone, etc. The Toune of Edinburgh's 3 companies came in, and we gave the Earle of Marr, vnder our hands, that he had performed the truſt layd vpon him concerning the Caſtle. We ſent to ſeverall places for

[1] For an account of the barbarities perpetrated by Montroſe in his northern expedition, ſee Spalding's *Troubles of Scotland*, vol. ii. pp. 265-8 (Ban. Club); and Laing's *Hiſtory of Scotland*, vol. iii. pp. 280-283. The latter hiſtorian thus ſums up the narrative of his exploits:—"How deſirous ſoever of true glory, Montroſe was unconſcious that humanity is the moſt diſtinguiſhed attribute of an heroical character."

meale—examined ſome gentlemen came from Montroſe—gott information there was none left in Perth—could not march this day for want of proviſions.

The 8 was a faſt. This day we receaved letters from the Committee, and returned anſweares. We hearde of the advancing of the enemie towards Neutyle; and James Stewart, this day, that kill'd Kilpont,[1] deſired permiſſion to come ſpeake with the Marquis [of] Argylle, which was condiſcended to. I wrote letters to London this day.

The 23 I ſent backe two of my horſſe and two men; left my trunke and tent behynde; march'd to Kintor, where myne and Lawers' regiments quarter'd. Buchannan ſtayed for the amunition. The Marquis of Argyll went to bring vp his people from Drum.

The 24 we march to Innerurie, where we ſtayed that night and till the next day att 10 in the cloke, that the Marquis came vp. When he came he diſpatch'd letters to Murray and Aberdeene. We march'd from this place the 25 to Benſholme, and quarter'd in the fields. The Marquis his men were aff vpon the right hand; he brought vp only one regiment, ſent another to the left hand, and the reſt towards Atholl.

The 26 we march'd by Strathbogie to the church of Keith. Had divers advertiſements from the General Major, and from the Murray men, whoe were lying over againſt the rebells att Craigalochie.

The 27 we march to the Bog of Gich. Gott letters by the way from Edinburgh. Found all the horſe there. Sent backe Dalhouſie's regiment towards Aberdeene, and two troopes of the Lord Gordon's, and yong Innes his troope, with the troope of Eaſt Lothian. Kept with vs Sir Frederike Hamilton's regiment, and the Marquis his troope. Croſſed Spey this day, and came to Spynie to ſee a friend.

[1] A detailed account, by Mr. Robert Stewart of Ardvoirlich, of the unfortunate ſlaughter of Lord Kilpont, will be found in a poſtſcript of the Introduction to *A Legend of Montroſe.*

The 28, by Elgin I returned to the Bog.

The 29, Sunday, we hearde this day the Murray Camp was broke vp, Sutherland and Seafort retired to Innerneſs; the rebells gone vp Badenoch, but not certain by which way. There was letters written to have a meatting att Forreſs vpon Tewſday, and we gave orders from making readie for our remove.

The laſt, we thought to have marched, but could not, for want of baggage horſe. We made diſpatches to Edinburgh. Duffus and Ballendalloch came from the Murray and Sutherland and Roſs men, to tell vs of there proceedings, and what they knewe concerning the enimie, whoe went out of there ſight at Ruffen in Badenoch.

The firſt October, we march'd from the Bog by Mulbon, the Fidich, Skirduſtan, to Carron. There quartered in the fields. Lieutenant Collonel Innes ſent me vp a priſſoner, one Stewarte, ane Atholl man.

The ſecond, by Inneraon and Ballnadalloch, vpon Aon, Devey, Crondell to Conneges, over againſt Ballacaſtell. The horſe (who came vp late except the Fyſe troope) march farther vp the river, towards Abernethy. We gott letters this day by the way from the partie the Marquis had ſent after the rebells, written from Ruffen in Badenoch, telling the rebells were vpon the 30 within ſix myles of them, att [name blank]. The Marquis was this night to be att Ballacaſtell, whether I wrote to him.

The 3, we marched to Gartmore by Abernethy and the woods, behynd which the rebells lay when they came towards Spey. Heare are great firr woods.

The 4, we lay att Gartmore till afternoone, and march'd to Kinchardie. We heard nothing of the rebells this day.

The 5, we march by Rothiemurchus to Ruffen in Badenoch. Here we heard the rebells were gone to Atholl, and were att Blair. We joyne heare with the 500 men the Marquis of Argyll had ſent aff from Drum. Heare lay the 6 and 7, and wrote letters to the Committee, and to ſeverall Highland [Lairds] to bring in forces to joyne

with vs in this quarter. We made bring in many goods, in doing which the people kill'd 4 of the Marquis of Argyll's people : ſome of them were taken and hanged.

The 8, we ſtay'd ſtill heare; hearde M'Donald and Montroſe were ſeparate, and ſent out a partie to try and ſe.

JOHN, LORD MAITLAND, to the EARL OF LOTHIAN. 1644 October 31.

MY LORD, I muſt firſt beg your Lordſhip's pardon for my ſo long ſilence, which was occaſion'd by the Countes of Home's death,[1] and then by ſuch ane accident after which, removed me a fortnight to Highgate, as made your Lordſhip and my Lord Balmerino goe to Kew, thogh I thank God no bodie died that belonged to me. After my return I have written to no bodie bot my father, for the conveyance by land hath been ever more dangerous ſince, by reaſon of the enemies taking of Crowland, in Lincolnſhire, which was the poſt's way; and I have had no occaſion by ſea before. It was likewiſe a plaguie reaſon that made me ſo long of ſending your Lordſhip your bookes, for, for a great while before I went out of toune, the ſicknes was ſo neir Bies, that I forbore to goe thither. Your Lordſhip ſhall now receav them from my father, to whom I have ſent them with ſome bookes to himſelf. I directed them to him becauſe he was liklier to be in the toune than your Lordſhip. I could not get them ſo cheap as your Lordſhip ſet doune, yet I gott him to beat a good deale, for I payed only eleven pounds for the books mentioned in this note which your Lordſhip marked, for the which he had ſet doune 13 lib. 15s. 0. With them I have ſent doune your *Theatre de l'Antechriſt*,[2]

[1] Lord Maitland married Anne, ſecond daughter of Alexander, firſt Earl of Home.

[2] This volume—"Theatre de l'Antechriſt, auquel eſt reſpondu au Cardinal Bellarmin, au Sieur de Remond, à Pererius, Ribera, Viegas, Sanderus et autres, qui par leurs eſcrits condamnent des Egliſes Reformées ſur ce ſubiet. Par Nicolas Vignier, 1610," folio—is ſtill preſerved in the Library at Newbattle.

bound as yow deſired it. *Speed's Mapps and Hiſtorie*,[1] your Lordſhip had once reſolved not to take; then yow wrot to me lately for them againe. But Bie fayes he will not beat anything of 4 pounds for them, which I think a greate deale to much, ſo I wold not take them till I heard from your Lordſhip againe.

The greateſt news heir is the taking of Newcaſtle,[2] which is both great and good news for us, and as much the way of it as the thing itſelf. If now it could pleaſe God that the rebells at home could be cruſhed, and our armie recruted to a conſiderable great ſtrenth, and ſo come up, I ſhould be confident things wold goe well both in Church and State. On Sunday laſt, our forces gave a good beginning of a blow to the enemie between Neuberry and Denninton Caſtle, wher 9 peec of canon wer taken; a brigade of hors broken, commanded by the Earl of Clevland, and himſelf made priſoner; old Ruthen wounded and retired into Denninton Caſtle, wher the King put the reſt of his canon and cariages, and with the reſt of his horſe and ſo many of his foot as he could get (for moſt of the new foot of his wer ſcattered) he marched away ſome with himſelf toward Bath, and the reſt toward Oxford, which they gained before our cavalrie could overtake them. So I fear the deſire which all our forces have to goe to their winter quarters hinder us to get the fruit of this ſucces, as we have loſſed many before.

The Church affaires are much retarded by the Independent partie, who cary themſelves farr otherwiſe to us then they did when your Lordſhip was heir; even thoſe who wer then activeſt for us doe turn their cloak quite on the other ſhoulder. Whither the taking of Newcaſtle will make them the calmer I know not; bot, treuly, before they undervalued our army ſtrangely.

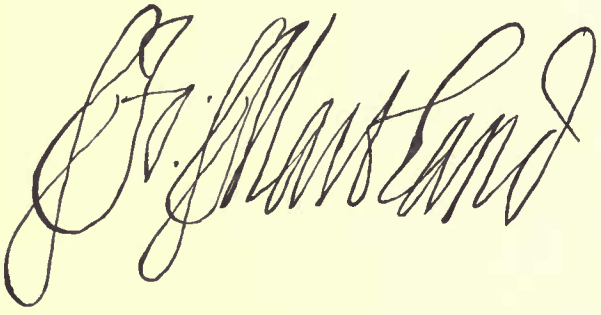
[1] There is a fine copy of "The Theatre of the Empire of Great Britaine, by John Speed, Lond. 1611," 2 vols. folio, in the Library. This might be the one here mentioned.

[2] Newcaſtle was again beſieged by the Scottiſh army under the Earl of Leven, and obſtinately defended by Morley, the Governor: it was taken by ſtorm in October 1644.

The Aſſembly hath almoſt ended the moſt materiall parts of Church government; for, beſides the votes concerning the officers of the church, they have voted that the Church is to be governed by 4 ſorts of aſſemblies; they have likewiſe voted their ſubordination, and proven theſe propoſitions by Scriptures; and they are now going on with the perfyting the Directory. Then they will draw up what they have done in government, and offer it to the Houſes. Bot of all buſines I have written at lenth to my Father, which your Lordſhip may ſee when yow pleaſe; yet, leaſt your Lordſhip ſhould be out of toune, I have wret ſo much.[1]

It rejoyced me very much to hear of my good Lord Balmerino's comming. I long till I ſee hime; for, truely, we will have need of ſuch helps. God ſend us good news out of Scotland, which is the earneſt prayer of your Lordſhip's moſt humble ſervant,

WORCESTER-HOUS,
the laſt of October 1644.



For the right honorable
the Earll of Lothian.

The EARL OF LOTHIAN to the COUNTESS OF LOTHIAN. 1644 October 30.

SWEATTE HEARTE, I receaved your letter of the 18. I have written ſoe many to yow ſince I was in this voyage, that I doe not remember them nowe; but my laſt was from Aberdeene. From that place we marched the next day after, which was Saterday. We kept the faſt the Lord's day at Innerury, ſome ten myles from Aberdeene.

[1] John, Lord Maitland, was one of the Commiſſioners from the Church of Scotland sent to attend the celebrated Weſtminſter Aſſembly of Divines in 1643. He ſucceeded to the title of Earl of Lauderdaill, on the death of his father, in January 1645.

We hearde there that the rebells were at Fyvy—the Earl of Dunfermeline's houſe—vpon which, vpon Monday morning, we marched towards them, but found [them] lying foe ſtrong in a wood, that they could not be forced out of it by ane army. We beate in all came out, and killed at leaſt 15 or 16. We loſt ſome two of my regiment; your uncle's people, one; a trooper or two; amongſt the horſe were ſome kil'd likwiſe, for they had greate advantages of dikes and houſes; but one amongſt vs was more worth then ane 1000 of theres, for the Earl Marſhall's brother, whoe was Captain of horſe, was ſhott deade. I have relatted to yow all the loſſe and hurt. We tooke in our quarters that night hard by them, but they ſtur'd not; the next day we drewe out againe, and came before the place they ly in, but noe invitation we could make could drawe them out. We left them yeſternight againe; are lying nowe heare waitting vpon them. We are in ſight of them, and all of vs very well in health. I wiſh theſe that cenſure our ſlowneſs were in our places. They would be more active and valiant. I am ſorry that your indiſpoſition continues. I hope to heare yow are better by your next. I pray yow lett not my being heare trouble yow. God Almighty will bring vs together in his oune time. I pray yow be dilligent for Mr. Clerke. The Earl of Crafurd writes to me that he ſhall gett money within fewe days. I ſhall write for money and clothes when they are both neare donne, to which it will not be long. I wiſh I were diſingaged; but I muſt bide it out till it be donne handſomely, for death is better then diſcredite. Beſides, I willbe loath to leave your vncle. I can ſay noe more, but committ yow to God, and your children, and reſt, your moſt loving huſband,

LOTHIAN.

From CRIECHIE, with a myle and halfe to Fyvy,
the 30 October 1644.

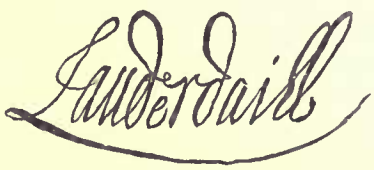
I ſhalbe vndone by the want of my ſervant, William Kerr, whom I muſt ſend from here tomorrowe, ſicke of a bloodie flux.

For the Counteſs of Lothian, at Newbattle.

JOHN, EARL OF LAUDERDALE, to the EARL OF LOTHIAN. 1645 March 13.

MY LORD, This other letter was written juſt upon our comming from the treaty, and then we intended to have diſpatched this bearer, bot we ſtill delay'd his going from day to day, expecting ane anſuer concerning our armies in England and Ireland. To the one we have gott their anſuer, and the bearer comes away with it. Bot, notwithſtanding that the Committee prepared Georg Monroe's buſines above ten dayes agoe, and that we pres day by day, be word and wryting, yet can we not get it reported, doe what we can: indeed the Houſe did not ſitt four dayes. This makes Georg mutine feircly and tell his minde bot too freely. We ſhall indeavor to get him ſent away with as ſatisfactory ane anſwer as we can procure. In that part of his diſpatch which concern your Lordſhip, the Committee of both Kingdoms have made it a part of the report that is to be made to the Houſe, that it is neceſſary that your Lordſhip be written, to goe and take the charge of the armies in Ulſter, as Lieutenant-Generall, according to your Commiſſioun, and that your Lordſhip be incouraged and inabled to goe. We thoght it not fitt to mentioun your accounts at firſt. This incloſed pacquet I had from your Lordſhip's father this morning. I ſhall trouble your Lordſhip no further at this time, only crave leav to ſubſcribe that I am, ſhall ever be, your Lordſhip's moſt humble Servant,

WORCESTER HOUSE, the 13 of March 1645.



The EARL OF LOTHIAN to the EARL OF ANCRAM. 1646 February 17.

MY LORD, The laſt letter I receaved from your Lordſhip was of the laſt January, and within it was incloſed a letter, written by Mr.

William Kerr of Litleden to the late Earl of Bothwell. I have read it, but fynd not it can be of importance to me. I have written to your Lordſhip by moſt of the occaſions to our Commiſſioners. I have not nowe any purpoſe but the incloſed letters which I have gotten from our Parlament (which is nowe ended) to the Parlament of Ingland, and to our Commiſſioners for your penſion. I ſend them open to your Lordſhip, that after yow have looked vpon them, yow may cloſe them with ſome handſome vnknowne ſeale, and give them to our Commiſſioners. That to the Parlament they will give as it is directed; I ſhall adde my particular ſuite to Sir Henry Vane and ſome others, whoe, I thinke, may contribute in the buſines. I can adde noe more att this tyme, but to ſay, that I am thus farre on my way to come towards our armie, apoynted by our Parlament one of the Committee for it. When the reſt come, which I thinke wilbe once this month, we will (God willing) begin our jorney. I am in the meane tyme heare to order my affairs, diſcompoſed ſufficiently by my too mutch abſence. I can nowe ſay noe more but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIANE.

ANCRAM, the 17 February 1646.

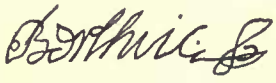
For the right honorable
the Earle of Ancram, att London.

1646 March 9.

A LETTER to the EARL OF LOTHIAN.

MONSEIGNEUR, Ceſte-ci eſt ma deuxieſme, où j'ai l'honneur de vous dire que Monſieur de Gordes a mis un gentilhomme François pour premier gendarme en la compagnie Eſcoſſoiſe de la garde-du-corps, qui n'y peut eſtre ſouffert, et qui n'exerce pas auſſi la charge, et que la nation a droit de demander recompenſe pour le dict gentilhomme, à la verité qui merite beaucoup, et à meſme temps ſa place pour moy, puis que je ſuis le premier occupant et d'une famille qui ayant fait beaucoup des frais pour ſte courronne en la perſonne de Marie, leur

douairiere, noſtre Réne, ſommes encore ſans indemniſement là et ici; et neantmoins ſans reproche, ſauf celle d'eſtre diſpoſés de faire encore mieux à l'aduenir, le Roy, voſtre conſeil et parlement ſe pouvent entendre, paix ou guerre, à preſſer promptement cela un Xerxès meſme redoutera les Grecs ſe reconciliants pour le bien les uns des autres. Je ſçai bien que nos patriotes papiſtes ſeront pourtant les plus contreres, et que cette humeur deroge à leur generoſité; mais il la faut dompter, et ne ſouffrir pas qu'ils facent ni couſtume ni loy de leur cruanté, parce que vous les cheriſſez. Si voſtre rare bonté, Monſeigneur, peut ſe reſoudre à ceci et en fait expedier la deſpeſche à touts ceux qu'il appartiendra icy, perſonnes publiques et privées en ma faeur diligemment, qui fai mon addreſſe chez le ſieur de Freſne, lingier, ruë de Sene, au Faubourg St.-Germain, Dieu me ſera la grace de contenter ces anciens alliés. Vous fites voir, eſtant ici, aux ſeigneurs François prés leſquels je ſuis, que vous me conſideriez, je ſerai ravi, Monſeigneur, de leur monſtrer que je tiendroy ceci de voſtre Grace, à laquelle je ſuis ſans fin, Monſeigneur, plus que très-humble et très-obeiſſant ſerviteur.



A Paris, 9e mars 1646.

Monſeigneur
Monſeigneur le Conte de Lothian.

Memorandum for the Earle of Lauderdale.

[1646 c. April.]

That, if the King come [to London?], the courſe formerly ſet doun bee obſerved.

No conjunction of forces before the King's meſſages bee ſent to the Parliament, which, if accepted, wil bee a meane to procure peace; and refuſed, will make a new ſtate of the queſtione & warre, and make all that are ſatisfied with the offer to joyne.

Concerning Newarke, it is more convenient to have it by capitulation then by ſtorme and loſſe of men, as affaires now ſtand.

When it is taken or ſurrendered, our army would bee in ſuch a poſture as they may not bee ſurpriſed that wee cannot poſitively tell what will bee deſired of them, or what they ſhall next doe; but for the preſent, ſince yee know no other neceſſary ſervice for them here, that they have their thoughts of returning neare their gariſons, and that wee may deſire the graunt of the demands of our Parliament, the ſettling of the accompts, and ſatisfaction of the army.

That if there be no preſent ſettling of religion and peace, wherof there is ſmall hopes to bee in haſt to our contentment, it is to be expected they will demand preſently the delivery of our gariſons and returne of our army, which, if refuſed, it is like the ſtrenth of their armyes will bee ſent northward to move yow to go home, againſt which wee know no remedy but the ſtrenthening of your army from Scotland, ſo as yow may bee able to preſerve your ſelves, and crave performance of what they are obliged to, by Covenant and Treatye.

1646 April 15.

JOHN, EARL OF LOUDOUN, to the EARL OF LOTHIAN.[1]

MY NOBLE LORD, I ame ſorie your Lordſhip's indiſpoſitione of health made me miſs the contentment I expected in meitting with your Lordſhip heir. I ſhall referr your Lordſhip's information concerning affairis at London, and my advyce in the buſines wee hade into conſideration to the relation of theſe noble beararis. Bot I fear too much ſcrupuloſitie hath loſſed a fitt opportunitie in tendering them too much who ar not ſo tender of the gude of religion nor of our nation. I ſhall never advyce any thing may not ſtand with our Treattie; bot if wee be not actiue to doe for the caus and preſervation of our kingdome, wee ar in danger of being ruined. So praying God to direct and bliſs your proceidings, I reſt, your Lordſhip's moſt humble ſervant,

[LOUDOUN.]

ROYSTOUN, 15 Apryle 1646.

[1] Although the ſignature to this letter is deſtroyed, there is no doubt the writer was the Earl of Loudoun, the Lord Chancellor.

If your Lordſhip ſhall ſhow my letter to my Lord Balmerino, he will inſult that he hath made me a proſelite of his own mynd.

NOTES by the EARL of LOTHIAN of the PROCEEDINGS at NEWCASTLE, during its Occupation by KING CHARLES and the SCOTTISH ARMY. 1646 May.

THE 26 May, I took phiſicke, wrote letters to Scotland, and ſent William Kerr and Jhon Jhonſton thither.

The 27, in the afternoone Committee, Collonel Friſſell refuſed the adition of a companie to his regiment, and Kircubright's men commanded to march to Yorkſhire. Propoſitions made to the Kyng to give paſſes to ſhips, and to write to his agents beyond ſeas to recall his commiſſions given againſt his ſubjects. Mr. Henderſone reported the King's deſires, for 10 or 12 doctors and books; but that, in the meane tyme, he would frame himſelf arguments.[1] The King gave order to Lanerick to drawe paſſes. The . . . of Carlile's deſires committed to three or four of our number. Some recruits came vp to my regiment.

The 28, I took phiſicke.

The 29, ſome recruits came into toune for my regiment; in the afternoone wee gott letters from our Commiſſioners and the Lord Balcarres, wherin were ſome hope of matters going well.

[1] The King having joined the Scottiſh army at Newark, 5th May 1646, retired with them to Newcaſtle. On his arrival he ſent for Mr. Henderſon, and propoſed that he ſhould engage in a Diſputation regarding Epiſcopacy with certain Engliſh divines. This, Henderſon declined, but the queſtion was diſcuſſed in a ſeries of papers which were printed under the title: "The Papers which paſſed betwixt His Sacred Majeſty and Mr. Alexander Henderſon, concerning the change of Church Government, at Newcaſtle (May 29th to July 16th) 1646." They are included in the *Works of King Charles*, and also in *Aiton's Life of Henderſon*, and other works. He died at Edinburgh, Auguſt 19, 1649.

The 30, it was apoynted to returne anſweares to the Commiſſioner's letters, and I took phiſicke againe.

The 31, Sonday; this day Vanderoſs his regiment was apoynted to be reduced.

The firſt June 1646, I was dealing for more quarters to my ſoldiers; and we had committees and letters from Poyntz, and the committee of Yorke, concerning quarters there, and the inſolences of Vanderoſs his regiment.

The 2, Committees againe concerning particular demands from officers for armes and intertainment in there abſences in Scotland. This night we had ane expreſs from Balcarres.

The 3, we mett to reſolve what anſwears to ſend to London, and what to preſs the King withall. We gott letters likewiſe from the Committee of Eſtates in Edinburgh, complaining we tooke too mutch vpon vs.

The 4, we were vpon the ſame purpoſes.

The 5, we mett to give in the Kyng our deſires and a particular concerning Forbes his regiment.

The 6, we expected his anſweare, but he delayed: we drewe vp the draught of a letter for the Parlament.

The 7, Sonday.

The 8, the Kyng gave vs a draught of his with a long diſcours. We removed to conſidder it, and reſolved to adhere to our oune, and drewe a paper which was ſubſcribed by all, with the General Officers, that if he would not condiſcend to our paper, that we would thinke ourſelves for the publicke good, and this was given and all of vs vpon our knees to ſecond it. He demanded till to-morrowe att 5 in the afternoone to thinke vpon it: he ſhoued this day a letter of James Grahame's. The draught of the 6 to the Parlament was debated againe this day, and not poſitively reſolved nether pro nor con. We gott civill letters this day from the committees of Yorke and Generall Poyntz; and Colonel Stocdall was againe delayed in his petitione. The Earl of Morton refuſed to come amongſt vs.

The 9th we mett in the Committee in the morning, and fully reſolved the reducing of Vandriſk's regiment. After this we alter'd what wee had formerly reſolved to adviſe the Committee vp att Edinburgh concerning the rebells, and only adviſed that Middleton ſhould proced according to his inſtructions with the adviſe of a committee. In the afternoone we were with the Kyng, and he gave in another paper vpon that we had given him the night before. In this peece, he would have perſwaded vs to have reſted contented with what he gave vs, and demanded 5 Biſhops to be kept vp in Ingland; by this he gave in another draught ſomething varying from the former. This pleaſed not: we adviſed him rather ſome generall, which he was content withall.

Mr. Robert Leighton, Minister of Newbattle, to the Earl of Lothian.

1646 June 8.

My Lord, By your Lordſhip's letter (which I received) I perceive that they have leaſt to retract, that were leaſt taken with the common ſudden rejoycing at that late great occurrence;[1] yet, however (looking to Him who orders all to his good and wiſe ends), I am perſuaded 'tis a ſtep to advance the maine worke now in His hand, and that good ſhall ariſe out of it, though likely not in that ſpeedy and eaſy way that moſt have imagin'd it; rather it may firſt raiſe the difficulties higher then before, and if not cauſe, yet threaten at leaſt, further embroylement; but then ſhall Hee, whom the winds and ſeas obey, appeare moſt in his power, in commanding a calme. Your Lordſhip's faithfulneſſe and freedome we heare of here, with as much contentment to all welminded, as poſſibly it is diſcontent to him,[2] that ſtill moſt miſtakes thoſe that wiſh him beſt. My Lord, beſides the hiſtories of former times that yow are well acquainted with, your eyes have ſeene

[1] Alluding to King Charles joining the Scottiſh Army. [2] The King.

and read clearely in theſe preſent revolutions, the extreame vanity of earthly dependances, and I am confident, have learned to eye God alone, and His good acceptance in all, and to place your happineſſe and joy ſolely in the light of His countenance. Oh, there is nothing ſweet, and laſting, and truely deſirable, but that; and I doubt not it ſhall bee your portion and reward. The great affection your Lordſhip expreſſes to good intelligence betwixt the Kingdomes, is a thing moſt agreable to the intereſt both of the cauſe of God, and of the happineſſe of this Iland. And whoſoever they bee that affect and indeavor diviſion vpon whatſoever intentions, I truſt they ſhall bee diſappointed and aſhamed. I beleeve Mr. Andrew Cant will write to your Lordſhip. We have hopes of his recall to theſe parts; for my ſelfe, I thinke there is good reaſon for it, and doe earneſtly deſire it: there is a motion of bringing his ſon to Fakirk. Your Lordſhip's recommendation may doe much with the patron, my Lord Calendar. Hee is much approved by the people and by the miniſters of Edinburgh, where hee hath lately preached diverſe times, after which my owne ſatisfaction in hearing him once at Newbattle, I judge not worth the mentioning. Your Lordſhip's returne, if it may be without publicke prejudice, cannot bee ſo ſpeedy as it will bee welcome here, and to none more then your Lordſhip's moſt humble Servant,

R Leighton

Newbattell, Jun 8, 1646.

For the right honourable
the Earle of Lothian, Newcaſtle, theſe.

1646 June 30.

James, Earl of Derby, to the Earl of Lothian.

My Lord, Since the firſt of theſe laſt vnhapie warrs, I haue neuer been well aſſured wher the King was, nor where I was, vntill the tidings of his Majeſtie's bleſſed comming to Newcaſtle, whether I



JAMES, SEVENTH EARL OF DERBY

From the original by Van Somer in Newhall in Abbey

and read clearely in theſe preſent revolutions, the extreame vanity of earthly dependances, and I am confident, have learned to eye God alone, and His good acceptance in all, and to place your happineſſe and joy ſolely in the light of His countenance. Oh, there is nothing ſweet, and laſting, and truely deſirable, but that; and I doubt not it ſhall bee your portion and reward. The great affection your Lordſhip expreſſes to good intelligence betwixt the Kingdomes, is a thing moſt agreable to the intereſt both of the cauſe of God, and of the happineſſe of this Iland. And whoſoever they bee that affect and indeavor diviſion vpon whatſoever intentions, I truſt they ſhall bee diſappointed and aſhamed. I beleeve Mr. Andrew Cant will write to your Lordſhip. We have hopes of his recall to theſe parts; for my ſelfe, I thinke there is good reaſon for it, and doe earneſtly deſire it: there is a motion of bringing his ſon to Fakirk. Your Lordſhip's recommendation may doe much with the patron, my Lord Calendar. Hee is much approved by the people and by the miniſters of Edinburgh, where hee hath lately preached diverſe times, after which my owne ſatisfaction in hearing him once at Newbattle, I judge not worth the mentioning. Your Lordſhip's returne, if it may be without publicke prejudice, cannot bee ſo ſpeedy as it will bee welcome here, and to none more then your Lordſhip's moſt humble Servant,

R Leighton

NEWCASTLE, June 8. 1646.

For the right honorable
the Earle of Lothian, Scotland.

1646 June 30.

JAMES EARL OF FIFE, to the EARL OF LOTHIAN.

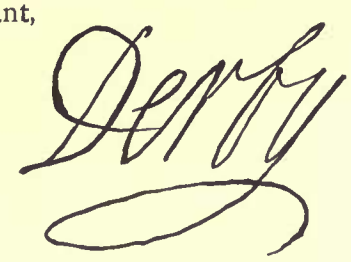
My Lord, Since the firſt of thoſe vnhappie warrs, I haue neuer been well aſſured wher the King was, nor where I was, vntill the tidings of his Majeſtie's happie coming to Newcaſtle, whether I



JAMES, SEVENTH EARL OF DERBY

From the original by Van Somer in Newbattle Abbey.

hope the Almighty did direct him, for the good of himself and all his people. My prayers are, the Lord of Hosts will now shew himself the God of peace, and inspire him, your Lordship, and all his counsellors, to your exceding honor, for the setling of truth and peace. I beseech your Lordship remember our old familiarities, and let not the generall mistakes cause your Lordship to misconceiue of me; but do me the fauour to assure me of your constant frendship, and be yourself assured of my best seruices. Good my Lord, let me know by this bearer, or whom els you please, the present condition of his Majestie, and what commands you haue for, My Lord, your Lordship's constant, faithfull, and humble Seruant,



Juin the 30, 1646.

I should take it for a great fauour if your Lordship would procure a safe pass for my son to go through Scotland into France.

For my very good Lord, the Earle of Lothian
at Edenburgh, these.

Charlotte de la Tremoille, Countess of Derby, to the Earl of Lothian.

1646 June 30.

Monsieur, A vostre dernier voyage de France, il vous pleut tesmoigner à madame ma belle-soeeur l'affection que vous portiés à cette famille, à qui j'espere que vous faites la faveur de la continuer. J'en pren encore quelque asseurance particuliere pour mon regard, veu la longue affinité qu'il y a entre nos nations, et la mesme religion que nous professons: ce qui m'empesche de douter que vous preniés à importunité la très-humble priere que je vous fay de vouloir prendre la

peine d'envoyer cette lettre à madame ma belle-ſoeur. J'ay eſté trop longtemps ſans ſçavoir de ſes nouvelles par les malheurs de ces guerres, et ayant pluſieurs affaires qui m'importent (ſurtout celles de la ſucceſſion de mon frere de Laval, qui ne concernent perſonne que l'intereſt particulier de noſtre maiſon). J'eſpere qu'il vous plaira de faire tenir ma lettre, et que vous nous aſſiſterés auſſi de voſtre faveur à obtenir du Conſeil un paſſeport pour envoyer mon fils en France par l'Eſcoſſe : ce qui ſera un ſurcroiſt aux obligations que cette maiſon vous a deſjà, et à moy un engagement particulier de demeurer, Monſieur, voſtre très-humble et très-affectionée ſervante,

charlotte de la trémoille

A Castle Rushen, ce 30me juin 1646.

A Monſieur, Monſieur le Comte de Lothian.

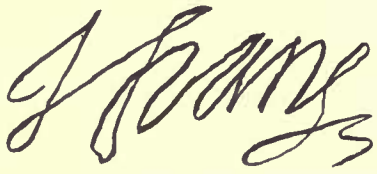
1646 July 10.

Sir Henry Vane to the Earl of Lothian.

My noble Lord, You haue been pleaſet to write vnto mee a letter ſoe ful of kind expreſſions and acknowledgments for my reſpects vnto your Lordſhip's father, and alſoe out of your nobleneſſe to giue mee aſſurance of your Lordſhip's heartie kindneſſe and frindſhipp to mee and mine, that I ſhal beſeech you to beleave that what is in power of mee and mine, is and ſhal bee really att your Lordſhip's command, in all occaſions, to ſerue both your Lordſhip and yours. And I doe take itt in theſe calamitous times, both to my ſelſe and familie a verie great bleſſinge from God, the frindſhip of a perſon of ſoe great truth and woorth as your Lordſhip, the which ſhalbee inviolably kept by mee. I hope the propoſitions tranſmitted by both Houſes to his Majeſtie by their committees, in the name of both Kingdomes, will haue a gratious acceptance : if not, the iſſewes cannot bee good for

Kinge nor people. God, of his mercie, putt itt into his Majeſtie's heart to take the Couenant; that, beginninge with God firſt, hee may alſoe paſs the Propoſitions, by which meanes Irland may bee releaued, elſe I aprehend the loſs of that kingdome wilbee a thorne in the ſide of both kingdomes; paraduenture a deſſeing from Rome to ſhake and throwe downe all the Proteſtante churches in Criſtendome. My prayers and endeauors ſhalbee that God will ſoe direct the counſels and reſolutions of both kingdomes, joinet in Soleme league and couenant, ſoe that they may preuent the ſame. The French Ambaſſador arriued heare this laſt night with a pompuous traine; was meett att Grenwiche by one lord and two comoners, and by them conducte to Goring houſe, where hee is lodged. And ſoe I reſt, my Lord, your Lordſhip's moſt humble and faithful Seruant,

From my houſe neare Charing Croſs,
this 10th of July 1646.



I had almoſt forgot to recomend to your Lordſhip's fauor the miniſters of the County of Durham I ſent the laſt year out of the ſouth, and gott them with much difficultie. Should they haue diſcouradgement, and it cauſe returne, it might prejudice the woorke now in hand. Ther particulars I refer to the bearer.

For the right honorable
the Earle of Louthian, at Newcaſtle-vppon-Tyne.

The Earl of Lothian to the Earl of Ancram.

1646
July 16.

My Lord, I receaved a letter from yow with the Lord Balcarres, which I could not anſweare, becauſe I was inſtantly going towards Scotland to ſee my wife, whoe was ſicke and brought to bed. But I

deſired Sir William Kerr to write to your Lordſhip in the purpoſe. If I had thought the tyme fitt I would have beane earneſt in the purpoſe yow write; but I thought, and doe thinke ſtill, that your Lordſhip ſhould nether thinke of it, nor any hath any reſpect to yow. A litle tyme will diſcover what is ſett to be donne, and then I ſhall not be wanting in what is of my deutie. But as affairs preſently ſtand, if yow changed your ſtation it would be excedingly to your prejudice. I ſhalbe more particular by ſome other occaſion, God willing. —I reſt, my Lord, your moſt loving and moſt obedient Sonne,

LOTHIANE.

NEUCASTLE, the 16 July 1646.

1646 July 23.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, The Commiſſioners of the Parlament of this kyngdome are this morning come, and our Committee waited vpon them att there lodgings. There, from the Earl of Pembroke, I receved a letter from your Lordſhip. Mr. Marſhall told me he had another for me which he had not by him. I will gett att it another viſite, which I will, God willing, performe in particular. The Marquis of Argyle gave me a letter alſo; I can only nowe ſay I have receaved them: other purpoſes and anſwears will come by ſome expreſs. This principally is to cover this incloſed from the Earl of Roxburgh (whoe came hither two days ſince) to Mr. Ratray, which your Lordſhip wilbe pleaſed to make ſend to him. I am hindered att this tyme by being in the Committee, to ſay any more but that I am your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 23 July 1646.

For the right honorable
the Earle of Ancram, att London.

The Earl of Lothian to the Earl of Ancram. 1646 July 30.

My Lord, I have receaved of late two or three letters from your Lordſhip, to which I ſhall anſweare particularly, God willing, either in the companie of ſome of the Ingliſh Commiſſioners, or els by ſome of our number that will nowe come vp. Therefore, I will write noe more nowe, nor any thing of the publike buſines at all. I will leave the relation of there intertainment with the Kyng to themſelves. Your Lordſhip deſired, in one of your laſt, to have hearde more particularly concerning my famyly. I was in Scotland lately, where I ſtayed but fewe days, only to chriſten a daughter, which was named Margarett,[1] as I had one formerly that died. I am nowe equall in ſonnes and daughters, and they are all, I thanke God, well. I am ſtriving to diſſingadge my ſelf of all publike affairs, and only betake my ſelf to my private affairs; for I gett every [day,] diſguſts and diſpleaſures, which yow will knowe better from others then my ſelf. I ſhall, by theſe come up, doe my utermoſt to putt your affairs in ſome better condition, if any interceſſion will worke. I can now ſay noe more, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

Lothian.

Newcastle, the 30 July 1646.

For the right honorable the Earle of Ancram, att London.

The Earl of Lothian to the Earl of Ancram. 1646 Auguſt 2.

My Lord, As the Earle of Pembroke did me the honor to give me a letter from your Lordſhip, ſoe muſt I ſend this by him, becauſe he hath demanded it. He hath expreſſed mutch good will to your Lordſhip and to me. I have, as well as I could, acknouledged his favors to yow, and waitted vpon him as often as I could, and would

[1] She afterwards became the wife of James Richardſon of Smeaton.

have beane readie to have donne him all ſervice. Yow wilbe pleaſed to give his Lordſhip thankes, for the offers of favor and kyndneſs he hath made to me. He and the reſt will declare the intertainment the Kyng gave them heare, and I hope they will give a teſtimonie to our faythfulnes, and howe forward the Committee was heare to contribute our indevors for getting the Kyng's conſent to the Propoſitions. Wee ſhall ſtill vprightly and honeſtly doe every thing according to the Covenant and the Treaties, and our profeſſions from tyme to tyme. I will mix noe other purpoſe, nor ſay any thing els nowe, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the ſecond Auguſt 1646.

For the right honorable the Earle of Ancram, att London.

1646 Auguſt 2.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, This worthy bearer[1] brought me a letter from your Lordſhip, and came to my lodging with it. He acknouledged mutch good will to yow and your famyly, and tooke more notice of me then I could merite, which I ſhall earneſtly deſire your Lordſhip will give him thankes for in my behalfe. I was not able ſoe particularly to

[1] From the letter following, we find that the "worthy bearer" was Mr. Stephen Marſhall, Lecturer at St. Margaret's, Weſtminſter. In 1643 he was ſent, as one of the Commiſſioners from the Aſſembly of Divines, to the General Aſſembly, and ſeems at this time to have been one of thoſe deſpatched to the King with the Propoſitions of peace agreed upon by the Commiſſioners of both Kingdoms. He was one of the authors of the famous work entitled "Smectymnuus," ſo called from the initials of the names of the writers. Baillie writes of him as "the beſt preacher in England" (vol. ii. p. 148); and again, "he was ever in my heart a very eminent man. . . He was the main inſtrument of that Nationall Covenant with God, and among ourſelves, which wont to hing on the walls of your churches; it will hing ever before the eye of God, the prime Covenanter" (vol. iii. p. 302). Mr. Marſhall died in November 1655.

waitt vpon him, nor to doe him the ſervices I would according to his merite. We wiſh he had ſtayed longer, that we might have had more of his excellent ſermons, and that we might have had ſoe vpright and honeſt a witnes to our proceedings, which ſhalbe ſtill ſoe and punctually according to the ſolemne ſtrict reules we have bound ourſelves to. He hath preatched excellently to the Kyng, and ſpoken to him in particular. By that and the publike proceedings in buſines he wilbe able to judge and declare ſoe well what is likely to followe touards the deſired peace, that I will ſay nothing, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

NEWCASTLE, the 2 Auguſt 1646.

For the right honorable the Earle of Ancram, att London.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1646 Auguſt 3.

MY LORD, I wrote two letters which I intended by the Earl of Pembroke and Mr. Marſhall. Not that I had the vanitie or incivility to make ſutch bearers, but becauſe they deſired them, and yett I miſſed both, they went ſoe early this morning. I was ſoone anough readie, and thought to have brought them on there way this length, but they were gone in the tyme one was going from me to knowe there diett. I ſend the letters, houſoever, after them. This is with the Marquis of Argyll, by whom I can only ſay that I have earneſtly recommended your buſines to him, and he ſayth when yow informe him in the particular, he ſhall leave nothing vndone in them in his pouer. The Chancellor and the Earle of Dunfermeline will doe likewiſe what they can contribute. And this is all att this tyme can be ſayd or donne by, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

DURHAM, the 3 Aguſt 1646.

For the right honorable the Earle of Ancram, att London.

1646 Auguſt 3.

Charlotte de la Tremoille, Countess of Derby, to the Earl of Lothian.

Monsieur, La lettre donct il vous a pleu m'onorer me rends des temoingnage ſy exprès de faveur de voſtre bien-veillence que j'en demeure dans le ſcillence, ne pouvent par paroles exprimer mon reſſentiment, et la condiſion où je ſuis ne me donne pas le moyen de pouvoir y faire ſuppleer mais ſervicez. Je ne fais point de doutes que ceux â qui j'ay l'honneur d'apartenir, ne me face celuy par leurs actions de vous temoingner leur gratitude des obligations que vous avez acquice ſur moy en voulant avec tant de franchiſce vous emploier aux ſupplications que je vous ferois par ma lettre. Par celle-ſy je ne vous puis dire mon depleſir de la precipitation du voiage de mon fils. Sy j'avois eſté de ſon conceil, je vous en ferois mes excuſe. Tout ce que je vous puis dire pour les ſienes, ſçait que je croy qu'il a eſtimé que nos promeſſe pour ſon deſir n'eſtois que les remiſe, monſieur ſon pere et moy luy ayent fait eſperer un paſſeport. Il y a plus d'un an 'il ſ'an neſt allé ſans noſtre ſeu avec noſtre depleſir que la coupice de ces lettres vous le feront voir, ſy vous l'avez agreable, en ayant chargé exprès ce porteur, lequel je vous ſupplie de croire ſur cela et ſur tout autre choſſe qu'il vous dira de ma part, m'i fient entierement. Il vous poura dire comme j'ay ſouvent deſiré de treter avec ceux de voſtre nation; car je m'aſure qu'ils euſſe rendeu temoignage comme j'avois tout quité pour conſerver ma religion et pour obeir aux commendemens de feu madame ma mere, qui ne croioit pas que je la peuſſe conſerver dans un mariage de contraire. Vous connoiſſés ſa pieté, et, quoyque je n'en aproche qu'en deſir, ſi eſſe que je croirois que ceux donct il vous plaiſt prendre connoiſence, dont je ſuis deſſendue, ce leuerois en Jugement contre moy, ſi j'oubliois jamais la religion où j'ay eſté nourrie et où j'eſpere, avec la graſſe de Dieu, de vivre et de mourir. J'ay honte de vous avoir tant importunée; mais vous m'en navez donné la liberté, donct je ne veux pas davantage

abuſer; et finis an vous aſſurent que je vous ſuis, Monſieur, voſtre ſervante très-humble,

CHARLOTE DE LA TREMOILLE.

DE RUSHEN, ce 3 aouſt 1646.

A Monſieur, Monſieur le Conte de Lothion.

A. KARR to the EARL OF LOTHIAN.

1646
October 25.

RIGHT HONORABILL MY GOOD LORD, I moſt humblie creave pardon for my not ſooner ſending in of thes rolls quhich your Lordſhip commanded me; and now alſo for my misfortun in not being able to preſent them myſelf. The ſoldiers being ſo unacquainted to meit togither and their diſperſe quarter maid us ſo long of randevooeing. Bot now what they ar of effective men heir is the liſt incloſed; and what is the number hes fallen to us, by the allowance of the governour and commiſar as the tenth man, or by the running away of others; and how they wer diſpoſed of amongſt the officers whom your Lordſhip appoynted ower them, your Lordſhip hes alſo in the end of the roll. We had from your Lordſhip that we wer heir as one company, and wer ſo to behaive our felſs towards our lievtenant collonel, as if the regiment wer inteir wherof we wer on company; and therfor conceaves what profit flowed from it doeth properlie belong to thes whom your Lordſhip was pleaſed to ſet over it (the command and commoditie going allways togither). Bot now ſinc hitherto, by your Lordſhip's goodnes and favour to us, we have bein ſhairers of both the command and profit thenc redundant, do now humblie ſubmit the diſpoſell of both to your Lordſhip's own good pleaſour, earneſtlie intreating, if your Lordſhip fall fortun to leive this kingdome, ſuch orders may be given as may feclud all feids of diviſion from amongſt us, quhich to me is als heatfull as he is from whom they do proceid. I houp in two or thrie days henc (God willing) I ſall be able to com and wait upon your Lordſhip myſelf, at which tym I ſall hartilie receave ſuch commands as it ſall pleaſe

your Lordſhip to put upon me, as becometh, my Lord, your Lordſhip's moſt humble and obliged Servant,

A. Karr.

Bebsyde, 25 October 1646.

1646 December 19.

Walter Murray to the Earl of Lothian.

My Lord, I haue reſaived your Lordſhip's lettir vith your brother, who is cum'd heir two days befor the wryting heirof. His voyage, he ſays, has bein ſo croſe that he hes brocht bot littill monny vith him, ſo that I moſt furniſh him vith monny frome heir to Utricht, which ſall be when he hes ſtayed hear ſume tyme vith me. He will varie hardlie leive vpon that pay a gentillman getts at Utricht and that your Lordſhip alloweth on him. The pay is no mor, as a gentillman of the companie, as 95 ſtivvers, which, vith that your Lordſhip alloweth him, is not above 13 ſhillings ſterling. His dyet and lodgeing, waſhing, and evrie thing he hes to do vith, will not be gottin owt of thiſe, for he can not leiv lyck a particular gentillman that can by his victwalls himſelf, and mak them redie, ſo that he moſt neids go to dyet with luſtenants and enſients. He is well known what he is hear. Utrecht and the Buſe ar publick plaiſes, whaire ther is grit reſort of people of goud faſhon. I ſould be varie loth to refuſe anny thing your Lordſhip deſyreth of me; bot my chairge in this country is mor then the means I haue hear can mentean, ſo that I moſt neads bring monnys out of Scotland as my brother knows: howſoever ther is nothing I can do for your Lordſhip's brother that I ſall leave vndon to your father's ſon and your brother, otherways I wold be a furniſer to non, ſieing I moſt bring monny owt of Scotland my ſelf. My brother can tell yow how dear his ſone is to him hear, who hes both his lodgeing and dyet and foger's pay of me. Thuſe, vith my ſervis to your Lordſhip, I reſt, your loving Uncle and Servant,

Walter Murray.

Buse, 19 Deſember 1646.

To the richt honnorable the Earll of Lothian,—theſe.

The Earl of Lothian to the Earl of Ancram. 1646 December 22.

My Lord, I have this day receaved two letters from your Lordſhip, both of the 15. I had not any theſe 3 weakes before. I wiſh the Earle of Bedford would otherways thinke vpon his buſſines. It will not be any he hath made vſe of heare, will preſerve him ane intereſt in the eſtate of Fairniherſt. I have noe intention of advantage to myſelf in any thing I propoſe concerning it, only that it may ſtand in the name, and that I may have what juſtly belongs to me out of it, and to purchaſe the reſt. I have dealt with him, as likewiſe with my Lord Balmerinoch; he refuſes me alſo, and after I had by letters dealt with him to receave from me full payment and releiffe for all his payments and ingadgments, and lately renewed the propoſition by mouth, all the anſweare is that the Earle of Somerſett intended theſe lands for his ſonne, ſayd ſoe mutch to him in Scotland, and declared it att his death before witneſſes living and deade,—the Earl of Lauderdaill, your ſelf, Mr. Henderſonne, and Sir Henry Gib, and that the will of the deſunct is *ſacro ſanct* to him. (I vſe my Lord's oune word.) Upon this I have putt a claime (which your Lordſhip ſhall have by the next, God willing) into a noble friend's hand to ſhowe my Lord, for I will vſe all faire meanes with a perſone I honor ſoe mutch; if they prevaill not, I thinke my title and intereſt better then his, and for that houſe to keepe it in the name and blood, I will ſett vp my reſt againſt all perſones; and if my Lord Bedford thinke to gett advantage by the Lady Yeſter's death, I hope not to be a loofer by it, for ſhee poſſeſes ſome lands I have better right to then the houſe of Fairniherſt, which I intend to poſſes myſelf of. I ſhall by the next write more clearly concerning further dealing in the matter, and howe I proceed with my Lord Balmerinoch, to whom I deſire your Lordſhip to write, that yow have heard of my deſires and propoſitions to him and that yow expect his condycendence; and your Lordſhip would always clearly declare that yow never

hearde the Earl of Somerſett ſay he purpoſed to leave the eſtate to him or his ſonne, and poſitively that my Lord Jedburgh made diſpoſition of his lands to yow, which I have, and ſoe claime clearly your intereſt, wherin yow will expect noe hinderance from him, he being ſatisfied of all his ingadgments. In this ſtraine your Lordſhip can ſoe mutch better expreſs your ſelf, that I will ſay noe more, but that ſaying yow might have had it and forbore to take it, for this or that reſpect, will mutch weaken what I intend. I gott in a late letter from yow ſomething concerning your penſion heare, wherin I can gett nothing donne to relieve me of 20,000 merks I muſt nowe pay for your Lordſhip, 14,000 to Doctor Seatone, and 6000 for which I was ſeurtie when I was att London, beſides what I did my ſelf when I was there, 350 lib. ſterline, which treuly I borrowed and muſt pay likewiſe betwixt and Whitſonday next. This wilbe betwixt 14 and 1500 lib. ſterline, which is ane exceeding overcharge to, my Lord, your moſt loving and moſt obedient Sonne,

LOTHIAN.

EDINBURGH, the 22 December 1646.

For the right honorable the Earle of Ancram, att London.

1646
December 31.

WILLIAM KERR to the EARL OF LOTHIAN.

MY LORD, As your Lordſhip commanded, I went yeſternight to John Campbell and reſſaved that account frome him, which I dowbled 4 tymes, and delyvered a copy to every one of theſe your Lordſhip commanded me to doe. Your Lordſhip's lettre quhich I reſſaved att 9 a clock immediately I delyvered. My Lord Crafurd told me he ſhould heartilly obey your Lordſhip's deſyres in your lettre. The Lord Regiſter cauſed the Clark to the Barrones double the reporte, and directed, after it wes red in that Houſe, that it ſhould be ſent downe to the Burrowes. The ſeverall bodies mett at 10 a clock. The Lords have not endit itt, butt remitted it to the Parliament

quhich ſitts att 3 a'clock. The Barrones have paſt all the firſt 3 articles; but to the fourth they fynd your Lordſhip hes reſaved 2000 lib as weele as any other of the regiments in Ireland; for as your Lordſhip will perceave by John Campbell's count, the regiment reſaived 1170 lib. ſterling, and your Lordſhip 500 lib., which, together with William Thomſone's 300 lib. band, quhich is apoynted to be retired, will make vp the ſowme. My Lord Argyle, with ſeverall of your Lordſhip's freinds, will ſtudy to gett ane end of itt this day, and I ame appoynted to attend your anſuer. My Lord Roxburgh wes vnweele this morneing, and did not come out: he will be at the Parliament in the afternoone, and told me he wold wryte to your Lordſhip. My Lord of Balcarres ſayes that he will be ready againſt to-morrow morneing to goe; he goes by Berwick, and the miniſters with him. The comiſſion and inſtructions wilbe ready this night. Garthland and William Glendoning will this night lett me know your reſolutiones, quhich, together with what is done, ſhall this night, be it never ſo late, be ſignified to your Lordſhip by your Lordſhip's moſt humble Servant,

WIL. KERR.

This laſt of December 1646.

My Lord humbly called for your copy of the precepts.

AN ACT of PARLIAMENT IN FAVOUR OF WILLIAM, EARL OF LOTHIAN.

1647 January 1.

AT EDINBURGH, the firſt day of Januar, the year of God one thouſand ſix hundred fourtie ſevin yeares, The Eſtates of Parliament now conveened in this ſext Seſſioun of the firſt trienniall Parliament, having hard and conſidered the report of theſe to whom WILLIAM, EARLE OF LOTHIAN, his ſupplication and accompts of the money acclamed be him was remitted, they allow to be payit to the Earle, as Colonell of his Irish regiment, the ſowme of three hundreth threttie three pundis vi$^{s.}$ viii$^{d.}$ monethly fra the tyme that regiment came out of Ire-

land, ſens in Februar 1644 to Aprile 1645, the ſpace of fourtein moneths, inde four thowſand ſex hundreth threeſcoir ſex pundis xiii$^{s.}$ iiii$^{d.}$ Scottis money; as alſo they allow to be payit to the Earle of Lothian, as Governor of Newcaſtle in the firſt expedition to England, the ſowme of one thowſand merkis Scottis, monethly, quhich was then the pay of ane Generall Major of foote, inde by the ſpace of tuelue moneths that he was Governor of Newcaſtle, aucht thowſand pundis Scottis: quhilkis twa ſowme of foure thowſand ſex hundreth threeſcoir ſex pundis xiii$^{s.}$ iiii$^{d.}$ and aught thowſand pundis, extendis both to tuelue thowſand ſex hundreth threeſcoir ſex pundis xiii$^{s.}$ iiii$^{d.}$ Scottis money, the Eſtates of Parliament ordainis to be payit to the ſaid Earle of Lothiane, out of the ſecond fiftie thowſand pund ſterling of the laſt twa hundreth thowſand pund ſterling payable be the Parlament of England to the Eſtates of Scotland. And for this effect they doe heirby aſſigne to the ſaid Earle of Lothiane als much of the forſaid ſecond fiſtie thowſand pund ſterling of the laſt twa hundreth thowſand pund ſterling above ſpecefeit; and ſicklyke the ſaidis Eſtates, taking to their conſideratioun that the ſowme of three hundreth and fourtie pund ſterling, advancit be William Thomſone to the Earle of Lothiane vpoun the Earle's band and actuallie deburſit be the Earle, mentioned in the laſt article of the report, together with the remanent members of that article, the ſaidis Eſtates ordanies the forſaid three hundreth and fourtie pund ſterling at the leaſt to be payed out of the ſaid ſecond fiftie thowſand pund ſterling; and doe heirby grant precept to the Theſaurer of the armie or vther publict intromittours with theſe moneys for payment of the three hundreth and fourtie pund ſterling above ſpecefeit to the Earle of Lothiane, that theirby he may releive his band granted be him of the like ſowme to the ſaid William Thomſon, and the ſaid William Thomſone may thair vpoun gett allowance theirof in his accompts with the publict: And The Eſtatis ſuperceides the geving anſuer to the remanent members of the laſt article of the forſaid report, while the accompts of the Lord Sinclare and Laird of Laweris their regimentis be cleired.

Extractit furth of the bookes of Parliament be me, Sir Alexander Gibſone of Durie, knight, Clerk of Regiſter, vnder my ſigne and ſubſcriptioun manuall (*ſic ſubſcribitur*) ALEX. GIBSONE, *Cls. Regri.*

Endorſed—
Copie of the Act in favoures of the Earle of Lothiane, 1647.

THOMAS CUNINGHAM[1] to the EARL OF LOTHIAN. 1647 January 8.

RIGHT HONOURABLE, Since the parting of my brother James Weir, and during his (now neare 9 moneths) attendance at Edinburgh, Newcaſtle, and other places, I have from tyme to tyme, by ſeverall miſſive letters directed to the Parliament of Scotland, Committees of Eſtates, and at the Army and Commiſſioners at London, made knowne and ingenuouſly ſhewed the great extremitie and dangerous condition wherin wee were, and are ſtill, by reaſon of thoſe conſiderable ſummes of money, for the which wee have ingaged our owne and friends' eſtates and creditts here among ſtrangers, for the relief of our native countrey, in its greateſt neceſſity; and that, in regard of the impatiency of our creditors (too often delayed and ſhifted), I was not able to hold out any longer, but vnder continuall feares to be publictly diſcredited, to the irreparable ruine of our ſelves and families, vnles the Kingdome of Scotland did prevent the ſame, by ſatisfieing and diſpaching Mr. Weir with all poſſible ſpeed. Which letters (at leaſt ſome of them), I doubt not but have come to your Lordſhip's view, and therfore I forbeare to repeate any further, knowing by experience (and by ſeverall late miſſives from Mr. Weir) that your Lordſhip is

[1] Thomas Cuningham, author of "The Thriſſells Banner," 1640, factor in Campvere, was appointed by the Committee of Eſtates, Conſervator of the Privileges of the Scottiſh Nation in the Netherlands, July 10, 1641. Through his agency, large ſupplies of arms, ammunition, etc., were tranſmitted to Scotland for the uſe of the Covenanters; and in July 1647 the Committee of Eſtates acknowledged him and his partner, James Weir, as creditors to the amount of £179,420 : 17s. Scots money.

not ignorant but verie ſenſible of our ſufferings, only I make bold to intreat your Lordſhip to beleeve that both my owne expreſſions and Mr. Weir's relations come farre ſhort of what our deſperat condition calls for,[1] there being a vaſt difference betwixt vs, who live and are ingaged here, and ſuch as live and are ingaged at home, where they can be protected by the ſtate. And in a word, my Lord, vnles James Weir gett preſent ſatisfaction, that ſo by his ſeaſounable returne wee may be tymouſlie relieved, wee and our families are totallie vndone, for the only and laſt refuge wherby our creditors are yet diſwaded from putting at vs, is the aſſurance I have given them, that Mr. Weir was allanerly ſtaying vpon the firſt moneys comming from England, which, now being ſent, wil produce our ſtanding or falling. And, therefore, I have preſumed ſo freely to lay open our preſent danger vnto your Lordſhip (to whom our faithfull ſervices are knowne to have deſerved a better reward), and humblie to crave your Lordſhip's beſt aide and aſſiſtance, to the end that Mr. Weir may, vpon no condition, be diſappointed at this tyme; for the Lord is my witneſs that the only meanes for preventing our deſtruction is his ſpeedie and ſatisfactorie returne, and that theſe lynes are written from a ſincere and ſad hearte, proteſting before the Almighty, that if I did know any other way of ſafety for the preſervation of our creditts, none would be more vnwilling to trouble the ſtate or your Lordſhip with theſe or ſuch-lyke complaints, or vnpleaſant remonſtrances, then hee who deſires to be reputed theirs and your Lordſhip's faithfull and humble Servant,

T. Cuningham.

Campvere, 1647, $\frac{8}{18}$th January.

For the right honorable the Earle of Lothian,
for the preſent at Newcaſtle.

[1] This appears plainly from a MS. volume in the Editor's poſſeſſion, in which Cunningham, as "Commiſſioner and Agent for Scottiſh Affairs in the Netherlands," as well as Conſervator (see note, p. 201), tranſcribed all his correſpondence from 1640 to 1654.

J. Kirkpatrick to the Earl of Lothian. 1647 February 2.

Right honorable Lord, I, amongſt many others, doe gladly enjoy the fame of your honourable vertues, vnto which all our Nation muſt acknowledge a common obligation. But I, in a more ſpeciall manner, for the ſingulare truſte repoſed in mee touching your brother's breeding: whoſe owne carriage (ſo farr as I can yet perceive) is ſuch, as ſhall hearafter need but ſmall recommendation from any his nobleſt friends. Nevertheleſſe I entreat your Lordſhip be confident of my care, whereby I ſhall endeavour to acquite myſelfe according to your deſirouſe expectation, not onely in this, but even in whatſoever elſe, yow ſhall be favourably pleaſed here to command the duety and dilligence of your Honour's moſt affectionat friend and ſervant,

J. Kirkpatrik.

Utrecht, 2 February 1647.

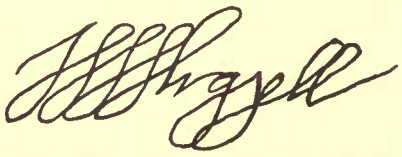
To the right honorable and noble Earle,
my Lord the Earle of Lothiane, at Newbotle,—theſe.

Archibald, Marquess of Argyll, to the Earl of Lothian. [1647] February 5.

My nobll Lord, All who wer with you at Newcaſtll ar now her, and I finde the 2 main deſignes ar for Commiſſioners thair, and Committee men her, but He ſits aboove that gwyds purpoſes, and others ſhall not be wanting in thair dewitie. My difficultie is with theis I heaue neer relation, always wee muſt look to the caus and not the perſon; any may ſee induſtrie her to bring ous in confuſion, but God can and will mak ſum fall in the ditche they prepaire for others. When wee cum to any reſolution your Lordſhip ſhall hear of it. Your Lordſhip knowes the conſtant deſyr of honeſt men that his Majeſty might both get and give ſatisfaction. Now is the tym for him, and as it was ever my advyce to himſelf to doe theis things wold

ſatisfie all, at leiſt what all agree upon, my weak opinion is ſtill the ſame, for as maters ſtand by indeavoring to divyd the kingdoms he forces them to the nearer union; many tyms to the prejudice of that he thinks his intereſt. It is fit, ſo far as your Lordſhip can, that you give him your advyce, for thair is non her that he judges moſt oppoſit to him, bot wold be glaider to ſee him doe that which might preſerve himſelf, nor men that flater him moſt; for wee love the King. I will troubll your Lordſhip no mor, but with the preſenting my ſervice to my Lord Pembroke, Sir Walter Erle, M. Kerew, Sir Jhon Cook, and M. K. Marſhall and your colleague.[1]—I am, your Lordſhip's affectionat Uncle and Servant,

EDINBURGH, 5 February [1647].



1647
February 16.

A. KARR to the EARL OF LOTHIAN.

MY MOST NOBLE AND GOOD LORD, Being upon Saterday laſt martched the lenth of Galowſheils, on our martch towards the weſt, quher we hard from the Generall we wer to halt, till we ſhould receave our recruits. This unexpected order cam to our hands, as it ſeimes procured be my Lord Sinclar, for what intent I know not; bot upon the devulging of this order, he is gon fair to loſe his own regiment, who being at Peibles, hes mutined and forced ther officers to pay them ther monay, thereſter threw down ther armes and moſt

[1] "The time prefixed for the removal of our army and the ſurrendering of the garriſons approaching, the Parliament of England ſent to Newcaſtle ſome commiſſioners—viz. Pembroke, Danby, Monteagle, Mr. Harriſon, etc., with ſome miniſters, Meſſrs. Marſhall, Caryll, etc., to attend the King in his journey to Holmby-houſe. Likewiſe the Parliament of Scotland appointed Lothian and Garthland to wait on the King, until he came to Holmby-houſe." (*Life of Robert Blair*, Wodrow Soc., p.195.)

pairt ar runaway,[1] at leiſt they ar not now paſſing our number, bot ſtill he aimes to martch on, though he were not 5 men in on compané. Heirupon I cam to Edinburgh, and hes acquainted the Generall how this ſuddin martch was alltogither without our conſent and deſyr; who, with my Lord Argyle, hes advyſed me to give in a bill deſyring a preſent recruit, or at leaſt to deſigne us a place wher to quarter, till they have further conveniencie for it, and not to urge our preſent tranſport; for if we ſall be put to it, it ſhall be als evell, if not worſe, as with my Lord Sinclar, the moſt pairt of thes we have togither being ſuch as hes expected ſum ſmall advancement by the recruit, quhich being denayed ſall not only mak them refuiſe, bot alſo carie the reſt away with them. I have prepaired the deſyr, bot can not as yet get it preſented. Thus I know not what effect it ſall tak; bot I moſt humblie intreat your Lordſhip's opinion in this particular. I wret to Captain Borthwick your Lordſhip's pleaſour concerning him, as my lievtenant collonel gave me orders, bot as yet I hear no anſueir from him. It ſeims Captain Herris hes intention yet to go on with Sir Robert Murray, he ſees ſo littill probabilitie for our recruit. Bot ther is on Captain Scot, yunger of Bowhill, who hes promiſed to bring us in a company of 80 men compleat, if your Lordſhip will give him a commiſſion. Your Lordſhip wald be pleaſed alſo to reſolve us in this particular. As for the Robert Kerrs, they are willing to go on, bot it ſeimes they will tak no paines till the men be fitted for them; bot if any ſhall happen to offer ſuch conditions as Captain Borthwick or Captain Scot, your Lordſhip wald be pleaſed to informe us what way to carie our ſelfs towards them.

[1] "In Februare 1647 . . . the Scotch armie marcheth to Scotland, and is modelled in feven regiments of foot, thretteene troops of horſe, and three companies of dragooners. All the reſt are diſbanded. My Lord Sinclar's regiment is ordered to goe back to Ireland. They [mutinied?] by the way at Peebles, and ſome runne away. Quarters are appointed for them and E. Lothian's regiment in Galloway, till I went over to Ireland, to try whether Monro and his officers . . . wold make us welcome or not." (*Turner's Memoirs*, Bannatyne Club, pp. 43, 44.)

As for the inferior officers who deſyres to be in the regiment, I find a grit deall of coldneſs in thes who war earneſt befor; bot if onc the recruit be condiſcended upon, ther will be enew of thes ſuiting for chairge. So for the preſent I can not give your Lordſhip that liſt was requyred. I moſt humblie bege your Lordſhip to heaſten ſuch reaſolutions towards us as your Lordſhip ſhall think convenient. Gedion Waughup delyvered us two bages of our monay, quhich as I can accompt pays not the preſent officers and ſoldiers be $3^{lib.}$ $15^{s.}$, bot if any thing be wanting, it ſall want to me. The officers who formerlie had any advantage by the regiment takes it a littill harſh to be fruſtrat now, when they expected ſum what of worth, eſpeciallie William Dowglas that he ſould hav no mor arreirages then on of the ſergents of your Lordſhip's other regiment: as for me, I have reſolved (ſinc what I have by my fortun is from your Lordſhip's favour) never to repyn at any thing ſall com from your Lordſhip to, my Lord, your Lordſhip's moſt humble and obliged Servant,

A. Karr.

Edinburgh, 16 February 1647.

For the right honorabill
my noble Lord and Collonell the Earle of Lothian,
at Holmbie hous or elſquher—theſe.

1647 February 21.

The Earl of Lothian to the Earl of Ancram.

My Lord, This day betwixt ſermons I receaved your letter of the ſecond of this month, and one incloſed to the Earle of Pembroke, which I gave him; the other, to Mr. Aſhuſt, whoe is in Scotland, I returne to your Lordſhip againe. I have not written ſince Sir Henry Gibb left vs, nor had I any matter or purpoſe vpon the highway, nor ſince I wrote particularly by him in anſweares of your Lordſhip's letters. I ſhall in your buſſines doe alwayes all is in my pouer; and I wrote in what condition I was, and what was my ſhare of the greate ſummes came to our armie. I muſt manage and huſband my credite

well, els it will not prove greate. I have not mutch att London, or none. But what I can doe where I am, by the firſt occaſion I ſhall doe it, and noe more I can doe, if my lyfe were vpon it. If I gett not a good occaſion ſpeadily, I ſhall ſend ane expreſſe. I thought I ſhould have beane relieved of this imployment I am in erre nowe, but I heare nothing yett out of Scotland; my oune particulars call earneſtly for me there, and I long to be diſſingadged. I wrote to your Lordſhip by Sir James Levingſton, or about the time he came vp, and I ſent a writt for your Lordſhip to ſubſcrybe which I will have vſe of. I wonder I have not hearde in that particular. If it have come to your hands (as I was curious to gett a ſure meſſenger for it), I pray your Lordſhip haſten it to me, or lett me knowe why it comes not, or whither any ſutch thing came to your hands. I am ſoe farre ingadged in the matters of Phairniherſt, which that writt concernes nearly, that I muſt through or lye by the way. Yett I will goe about it, ſoe that it ſhall bring as good as I give for it. I can nowe ſay noe more, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

LOTHIAN.

ALTHORPE, the 21 of February 1647.

For the right honorable the Earle of Ancram, att London,—thefe.

ARCHIBALD, MARQUESS OF ARGYLL, to the EARL OF LOTHIAN. [1647] February 23.

MY NOBLL LORD, Whither my letters cum to your hands or not I reſolue to wret by the ordinar pakket. I haue ſeen no letters from you ſince you went from Newcaſtell: ſum endeavors ar uſed that no Commiſſioners at all ſhall be in England, but that is becaus they imagin it will not be thair mynd: howſoever we ar not yet fallen vpon any ſuch buſines. The directing and provyding for our army has taken up muche of our tym ſince thair cumming to this kingdome. Generall Major Holburne is appointed Generall Major to the foot,

but wee ar lyk to heaue ane ill commpt of them. The Parliament heaue appointed your Iriſch regiment to march to Ireland, doe what ſum of ous could, but thair is nothing can be deſyred for them going thair; but I houpe it will be granted for the neceſſitie of the kingdome is the onli argument carried it in Parliament. As any other thing occurs fitting for your Lordſhip's information you ſhall know it. The Engliſche Commiſſioners cam her on Saturnday. A committee viſit them this day from the Parliament. I pray God diſpoſe all weall whair you ar, and wee will be the better her. Remember my ſervice to your colleague, and command me as your Lordſhip's affectionat Uncle and Servant,

A. M. Argyll.

Edinburgh, 23 February [1647.]

For the Erle of Lothiane.

1647 February 23.

A. Karr to the Earl of Lothian.

My good Lord, I am ſorie I can give your Lordſhip no better accompt of our paines with this Parliament. We have laboured by your Lordſhip's freinds to have that order (quherof I am confident the dowble is comed to your Lordſhip's hands or this) only ſuperſeided for one moneth, bot in vain: of neceſſitie we moſt aither preſentlie martch or diſband, for the kingdom (ſays the Parliament) fall no longer be affected with our burthin of quartering. In this neceſſitie the Leivtenant Collonell is reſolved to caſt the remanent of the ten companys into 5, with one for your Lordſhip, one for himſelf, one for me, and one for Captain Dowglas, and one for any other of thes Captans your Lordſhip hes nominat who will preſentlie ingaige; and as we conceave will do moſt for the ſtanding and making up of his company; for now it is thought fitteſt to ingaig with ſuch officers as can do moſt for the ſtrenthning of the regiment. Captain Heris is now fullie ingaiged with Sir Robert Murray. Captain Borthwick is diſbanded by order of Parlement. Captain

Stewart is ingaiged in this new modell, and Captain Eliot lykways; bot he hes intention to quyt, if poſſible he can, and com in to us. Bot when the recruit is granted, I beleive your Lordſhip ſall find ſmall deficulltie in finding others to ſupplie there rowmes. As for the leivtenants and enſignes, we can give your Lordſhip no liſt, becaus we know not yet who will ingaige; bot the Leivtenant Collonell reſolves, they ſall be aither ſuch as hes ſerved formerlie in on of your Lordſhip's regiments, or ſuch as ſall bring in men to the regiment. By this caſting the regiment in fyve companyes, and placeing inteir officers upon them, we conceave the officers ſall not only be painfull to keip togither thes they have allredie, bot labour to ſtrenthen them. And when they com over, ſubſiſtance can not be denayed unto them, tho ther numbers wer never ſo ſmall; and ſhall be honorabill eneugh for a leivtenant collonell, or a major to go over commanding them thus, tho ther numbers war never ſo ſmall; for it is reſolved that aither the Leivtenant Collonell or I ſhall ſtay and attend the Parlement's pleaſour concerning our making up. Therfor what your Lordſhip is pleaſed to command us to do heiranent ſhalbe weiklie attended at this place. Fearing further to truble your Lordſhip, I am, my Lord, your Lordſhip's moſt humble and oblidged ſervant,

A. Karr.

Edinburgh, 23 February 1647.

For the right honorabill
my noble Lord the Earle of Lothian.

To be delyvered to Mr. Cheiſlie, Secretarie to our Commiſſioners at London; and by him to be ſent to Hollmbie houſe, or wher he hears his Lordſhip is.

Archibald, Marquess of Argyll, to the Earl of Lothian. [1647] March 9

My nobll Lord, I aſſoor you the want of your regiment recroots is non of my fault, for all that was donne in relation to any of theis

Iriſch regiments was againſt my mynd, for they had ordor inſtantli to go, without regaird ather to thair ſubſiſtance thair, or recroots her; always they ar in this ſyd of the ſea as yit upon quarters, and I aſſoor you they ſhall want nothing whairin I can ſerve them. We ar upon the inſtructions for ſending to his Majeſtie. Whither the old Commiſſion continow or not, your Lordſhip, I beleeve, will be commanded to joyn in proponing our deſyrs to his Majeſtie; but I confes I cannot learne if your Lordſhip ſhall be commanded to ſtay conſtantli or not. This is in heaſt, for the pakket is cloaſing; and I am, your Lordſhip's affectionat Uncle and ſervant,

A. M. Argyll.

Edinburgh, 9 March [1647].

Let this preſent my ſervice to Garthlan.

For the Erle of Lothian.

1647 March 11.

The Earl of Roxburgh to the Earl of Lothian.

Right honorabill and trewlie honored Cussing, Your Lordſhip wilbe pleaſed to excuſe that I uſe ane other hand nor my awin in this biſines, whiche concernes me in ane verie particular way be the deathe of Mr. Williame Bennet,[1] leat Perſone of Ancrum. I pray your Lordſhip in reſpect of your intereſt, that ye wilbe pleaſed to haue cair (as I doubt not bot your Lordſhip will) that ane modeſt and ſufficient man may be brought to exerciſe that chairge. Yit that I may be acquantit be your Lordſhip befoir the perſone be determined upoun, that I may not haue any new occaſion of queſtioun with him who your Lordſhip ſall lyk of. I find your Lordſhip alluayes ſo courteous and kynd that I am confident (not wronging your ſelff) your Lordſhip will conſidder my intereſt, whiche ſall never be pretendit to prejudice youres, bot to ſatle my awin in ane reaſonable way. If your

[1] William Bennett, A.M., was preſented to Ancram in 1622. He died, as appears from this letter, in the end of February, or early in March, 1647. His ſucceſſor, preſented by the Earl of Lothian, was the celebrated Mr. John Livingſtone. (See *Scott's Faſti*, vol. i. pp. 483-485.)

Lordſhip's occaſions ſtay yow where ye ar, or procure your Lordſhip goeing farder South, I intreat that I may heir from your Lordſhip, whom ye will imploy in this particular, and that ye will be pleaſed to write to thame, that I may be acquantit with the cours ſall be followit in it.

I haue ſent to your Lordſhip's Laidy, the chartour and ſeaſing whiche concernes the landis of the Chepall. Your Lordſhip will find that I ſall be reddie to doe more to teſtifie my thankfulnes for your Lordſhip's kyndnes ſchowin in my biſines. Mr. Williame Murray, be advyce of lawieris heir, hes renewit in ane more legall way his reſignacioun; bot he hes done it in ſo kynd and noble a ſaſchioun, that the way is more oblidgeing nor what benefite can be reapit be it. Sir Johne Scot hes gevin in a bill to the Parliament in ane verie tumultuous manner, haiveing buſſilie acquyrit the handis of many ſeverall perſones preſſing the anulling of the ſuperiorities of all Erections, and that no new grantis may be allowit in thame to interpoſe any perſone betuixt his Majeſtie and the feweris. His bill hes many other clauſis in prejudice of the rightis of Erections. It hes haid hitherto great aſſiſtance and countinance in our Parliament ſpeciallie be our barrons and burgeſes and ſome noblemen. What the concluſione will prove, I know not for the preſent, bot the worſt may be juſtlie fearit. I haue ſpokin with the Marqueis of Argyll concerning your Lordſhip's intereſt. I haue ſeene no other whom I could tack notice of in it. His Lordſhip trewlie is verie ſencible of what concernes yow, and in this biſines it ſelff verie favorable, thinking it ane unfit and untymlie propoſitioun. All other biſineſes heir I hope your Lordſhip wilbe more particularlie advertiſit of thame, nor can be expectit from your Lordſhip's affectionat Couſſing and ſervand,

CANNOGAIT, ii. of Marche 1647. ROXBURGHE.

To the right honorabill my trewlie honored
Cuſſing, the Earle of Lotheane.
Recomended to the deliverie of Mr. Robert Barclay,
one of the Scots Comiſioners at London.

[1647] March 15. CHARLOTTE DE LA TREMOILLE, COUNTESS OF DERBY, to the EARL OF LOTHIAN.

De Chelſey, le 15 de Mars 1647.

MONSIEUR, Enuoyant ce gentilhomme ſçauoir des nouuelles de Mr. de Pembrock, je luy ay donné charge de reſeuoir vos commendemens et vous dire comme j'eſtime à vn très-grand bonheur pour moy voſtre preſance en ce royaume, puiſqu'il vous a pleu me temoigner que vous preniés intreſt aux affaires qui m'amenent ici, où nos amis me conſeillent de ne rien entreprendre juſques à ce que les commiceres d'Ecoſſe foyent ariués; à quoy je me ſuis reſolue, puiſque j'eſpere en ce tant-là de vous voir et que vous me ferés l'honneur de me donner vos auis, ayent charge expreſſe de Monſieur mon Mary de les ſuiure, n'y ayent perſonne en qui, luy et moy, prenions plus de confience qu'en vous, Monſieur, qui me ferés la faueur de croire que je n'oublir ay jamais les obligations que je vous ay: qui me fera vous eſtre toute ma vie, Monſieur, voſtre très-humble et très-affectionée ſeruante,

C. DERBY.

A Monſieur
Monſieur le Comte de Lowden.

[1647] March 17. ARCHIBALD, MARQUESS OF ARGYLL, to the EARL OF LOTHIAN.

MY NOBLL LORD, I can hardli expres to your Lordſhip the difficulties ſum men ar put to, to carie on buſineſs her; many being ſo weak, others ſo full of by ways and malice to men who heaue ſerved thair countrie, ſo far as God inabled them, with faithfulnes. Of that number your Lordſhip wants not your ſhair of the burden; the Parliament's commands to your Lordſhip hes been preſt with all earneſtnes, but it is not yit obteened. That which I hear is aimed at, is onli to command you and your colleawg to joyn in preſenting the propoſition to his Majeſtie, and to returne with the anſwer, and this ſam wants not grumbling. I houpe allowance cannot be refooſed to you as to others, but wee reſolve to mak it the laſt act for your Lord-

ſhip. We ar haſtening to ane end of this Seſſion of Parliament, and ſo heaue the nixt the firſt Seſſion of the 2d trienniall Parliament. Thair is a great buſines mad about the ſuperiorities of erections, which is followed by the moſt pairt of the gentrie and burrowes, and oppoſed by many noblmen. I think it ſhall reſolve on a ſtop for paſſing any in tym cuming, and delaying to determin any thing for what is paſt till the nixt Seſſion of Parliament. I pray God give his Majeſtie a heart to grant the deſyrs of his ſubjects as the beſt cure vnder God that I know for himſelf or ous. So, remembring my ſervice to Garthlan, I am, your Lordſhip's affectionat Uncle and Servant,

A. M. Argyll.

Edinburgh, 17 March [1647].

Concerning your oun affairs and the old Lady Yeſter's health,[1] yow will hear by others.

For the Erle of Lothiane.

Sir William Carr to the Earl of Lothian. [1647] March 19.

My Lord, Efter a long and moſt dificult march, we are now come within 4 mils of Portpatrick, where I founde this occattion to writt to your Lordſhip, much deſeiringe yow ſhould knowe how we haue ben threattend away, without any ſo much as incuradgment of ſupplie whatſoever. I will ſpair the repetiſion of ſume moſt eminent for this preſent of our Parlament, vntill God Almightie ſhall bring me wher your Lordſhip in due time may be meett withall; then you ſhall haue a full accoumpt of our particulare proſidings, and for the preſant only aquent your Lordſhip that nether Captain Borthick nor Stewart did come, as they might haue done, vnto vs; and becauſe of that and

[1] Lady Margaret Kerr, daughter of Mark, firſt Earl of Lothian, was twice married—firſt, to James, feventh Lord Hay of Yeſter; and ſecond, to Andrew, Maſter of Jedburgh. She died March 15, 1647 (two days before the date of this letter), in the feventy-fifth year of her age.

other conſiderations to make vs ſtand in the full eſtime of a redgiment wee haue caſten theſe men ware left into 5 companys, as Collonell and Lieutenant Collonell and Major; on for Mackullow, the other to Captain Douglas, and iff Mackullow will not imbrace, Robert Carr of Grenhead will bee readdy for itt; lickwiſe in our march ther came a very honeſt gentillman vnto vs, cald Captain Jhonſon, being recumended to me by my Lord Kilcubright; who alſo hath mynded for him that in ſo much time as our condition hear ſpeſifies, he will bringe to vs a full company with armes, which I hope your Lordſhip, conſidering the condition wee are in, will thinke an ill bargen, and hauinge ſum hope to receue att our landinge in Irland 80 men we heare Captain Mackulow hath gott together, with another company allreddy compleat of young Ocherton's, to whom I haue writt, as lickwiſe to Mackullow: Theſe being brought together, I doubt nott in very ſhort time too make a redgiment maugre oppoſition (now my humble deſeire is your Lordſhip will giue your approbation to this liſte, that we may be the mor incuradg'd in the midſt of ſo much miſſerie, which ſhall nott att all trouble me iff yow be pleaſ'd, and with your commands retturne this incloſ'd that we may doe euery thinge in orderr). Havinge don heare, I intritt your Lordſhip preſent my duttie to your Father, and my ladie, and your ſiſters. I haue no time to writ to them, this bearrer is in ſuch [haſte]. We only ſtay for meall and bootts, and Major Turner's retturn from Irland, who we haue ſent ther to make our way, having with him our letters from the Parlament and the Generall, to the Generall Maior. Thus confuſdly I am forſt to end, but ſtill remaining your Lordſhip's moſt humble Servant and Cuſen,

WILL. CARR.

CHAPELE, this 19 of March 1647.

The Major would haue writ to your Lordſhip, but he hopes this will ſuplie his duttie and your Lordſhip's trouble for this time.

To the right honourabill the Earle of Lothian,
att Holmby Houſe or elſewhear in England.

ARCHIBALD, MARQUESS OF ARGYLL, to the EARL OF LOTHIAN. [1647] March 25.

MY NOBLL LORD AND DEAR NEPHEW, Thair hes nothing occurred her ſince you pairted worth your troubll to read, onli Collonel Lichton cam along with the appeerand Erle of Roxbrough. He had a letter from the Duk of Lorrain, but the ſhip being to return befor the Committee day, he could not ſtay the reading of it in publik nor the returne of a anſwer, which doubtles it will get, being onli a civill complement. He had a letter of truſt from the King, and hes ſpoken to my ſelf in many things. I houpe he will not ſay he can be vnſatisfied with any thing he hes met with her. Mr. Murray is to goe along in the ſhip if you will truſt him, and his legali that he promiſs me of ſum good bottls of wyn maks me beleeve it may be ſo.

I pray God blis your imployment; much depends on it. The leateſt leter I had in relation to Irland is cloaſed in Sir Robert Murray's leter to you, for I thought the ſhip had been going on Saturnday and I had no leaſur. You know my affairs that day. I intreat your Lordſhip let my mears be ſyn though you put me in ſum debt for it. I hear my neece recovers. I am to goe to Argyll for a tym, ſo your Lordſhip nor your colleagus cannot hear oſten from me, ſo I ſhall deſyr this may ſerve for preſenting my ſervice to all and giving aſſoorance that I am your Lordſhip's affectionat Uncle and Servant,

A. M. ARGYLL.

EDINBURGH, 25 March [1647].

For the Erle of Lothiane.

ARCHIBALD, MARQUESS OF ARGYLL, to the EARL OF LOTHIAN. [1647] April 7.

MY NOBLL LORD, I had your Lordſhip's from Althorpe, the 28 Marche. I hear muche cair was to diſpatche the Parliament's letter to your Lordſhip unknown to any here, and without the warrant

for paying yours or your colleague's allowance, which I heaue requyred the Clerk Regiſter to heaſt to your Lordſhip. The end of our Parliament was the madeſt buſines that ever your Lordſhip ſaw. Many honeſt men went away after they conceaved the moſt materiall buſineſs wer ended, and all others ſtuk cloſli by it till the laſt man, and ſo ſum could heaue caried in my judgment what I will not name. It went very neer to heaue a claus in the Commiſſion for the Committee to depoſe any for not attendance, and put any other they pleaſed in his roume. Your Lordſhip will ſee my laſt intelligence from the north in the Generall Lieutenant's letter. I heaue not, nor ſhall not, be unmyndfull of the particular you mention, but I muſt ſay you ar ill met. I will troubll your Lordſhip no mor for the preſent, but aſſoor you I am, your Lordſhip's affectionat Uncle to ſerve you,

A. M. Argyll.

Edinburgh, 7 April [1647].

I intend, God willing, to goe this day toward the north to wait upon the Generall Lieutenant.

For the Erle of Lothiane.

[1647] April 21.

Sir Richard Graham[1] to the Earl of Lothian.

My noble Lord, I condole my misfortune in miſſing of you ſeuerall times where I was to haue waited on you at Worſter houſe. My occaſions haſtens my returne to the northe; now takeing my journeye northward; thereſore giue me leaue by theſe to preſent my ſervice to you, aſſureing your Lordſhip I am very ſenſible of your loue

[1] Richard Graham, Eſq., Gentleman of the Horſe to James I., was created a Baronet, March 20, 1629. He owned large eſtates in Cumberland. He eſpouſed the Royal cauſe, and was ſeverely wounded at Edge-hill, in October 1642. He died in 1653.

and kindneſſe to me, when I was priſoner at Yorke; for which you haue ever power to command me. My Lord, you are acquainted with the inſolencyes of the moſſe troopers committed in the middle ſheires; therefore, as you are moſt powerfull to direct a way to ſuppreſſe them, be pleaſed for the good of thoſe countryes to ſpeak with my Lord of Northumberland, whoſe intereſt there is greate; and putt on a joynte commiſſion betwixt the Kingdomes to ſuch as haue moſt intereſt in theire fortunes on both borders. This will route out that diſorder quickelye, and will giue me a power by commiſſion to cauſe them to putt to theire hands for regulateing the abuſes, without excuſe. This is my opinion, which I commend to your Lordſhipp's conſideration. Craueing your pardon for this boldneſſe, with my ſervice to you, I reſt, your Lordſhipes humble ſervant, whileſt I am

Aprill the 21th, 1647. RICHARD GRAHAM.

I have ſpoaken to my Lord Northumberland to this purpoſe.

To my moſt honoured Lord
the Earle of Lowthian at Worſter houſe, theſe.

A. KARR to the EARL OF LOTHIAN.

1647
April 29.

NOBLE AND MOST GOOD LORD, I am aither much affrayed of your Lordſhip's diſpleaſour, or the miſcarieage of my letters, that ſinc your Lordſhip's depairtur from us, I had never one lyne from your Lordſhip's hands ſave once. My laſt from Strenrawer ſhew your Lordſhip the misfortunes I feared, upon our joyning with the other regiment, quhich now is fallen upon us. I am confident Sir William Ker[1] ſhall give your Lordſhip an accompt what is done towards your Lordſhip's regiment. Yet for my own exoneration (who is promiſed ſmall thanks from your Lordſhip for my ſo much oppoſition of ther

[1] Sir William Kerr ſeems to have acted as Lieutenant-Colonel of the Earl of Lothian's Regiment. In his own letter (p. 213) he ſigns himſelf "Will. Carr."

courſes), I ſhall declair to your Lordſhip the certantie of ther procedor. Major Turner being ſent to Irland to Generall Major Monro, to know the place of our quarter and fitteſt landing, returned with a dereƈt refuiſell from the wholl officers of that army, that we ſhould have any entrie amongſt them, pretending inabilitie, not unwillingnes, to give us quarter, nay not ſo much as of houſe rowm, except we got it from the Ingliſhe in Iſle of Kaill. Wherupon Captain Chirnſyd was ſent to Edinburgh to my Lord Sincklar, that he might delyver a letter of the officers of the army to the Parliament declairing the cauſes of ther refuiſell, togither alſo with a letter of ours, intreating my Lord Sincklar to procure us an order (ſeing he ſaw it for the preſent impoſſible to paſſe over) to quarter in ſum place of this kingdome, and our mentinence ſould be upon that meill quhich was appoynted for our tranſport. Bot that grit partie of our good freinds gained us abſolut denayell that we ſould have any quarters in Scotland at all, wherupon the Commiſſioners from Galloway procured an order to tranſport our ſelfs out of the ſhyr within thrie days after the ſight therof, otherways to diſband; and if nather, to be reputed common enimies to the publiƈt and ſo proceided againſt. And if we went over, the meill formerlie appoynted was for our tranſport and mentinence ther—if diſband, to be given for the uſe of the officers; bot if nather, the ſhyr was to ſeaſe upon it and pay our quarters with it, which formerlie we had receaved aff them. To this effeƈt my Lord Caſells receaved a commiſſion for raiſing Carick and Kyle, and cam waſt to joyn with Galloway, that if we diſobeyed in the leiſt they might have diſarmed and diſmiſſed our ſoldiers, taken the officers priſoners, and taken from us our meill. This unkyndlie delt the Eſtait with us.

Upon ſight of this order the officers of both regiments met. My Lord Sincklar's officers wer all for diſbanding, as I conceave, being diſcouraged with the mutaning of the ſoldiers, and ther ſmall numbers, the 5 companies of your Lordſhip's regiment being at that tym als ſtrong as ther ten. Beſyds by ther diſbanding the wholl arreirs of

the ſouldiers fell in the officers hands. Bot why we ſhould have followed ther example I can hardlie ſee, who had not that advantage to looke to. It was told us, the wholl army in Irland was inſtantlie to be diſbanded; I anſueired, it was our credit to be in that condition when they wer ſo, and for my pairt I ſaw not how they could be anſueirable to ther Collonell to diſband thes regiments befor they wer acquented. I was told, if I would tak upon me to do that within the tym affixed, it was weill; if not, they wiſhed we proved not thes fools as both to fall in queſtion with the ſhyr and loſe our ſhair of the meill. I anſueired, the order was alternative, and we neided not do aither. Beſyds, I offered to Sir William Ker (who him ſelf declaired he had a neceſſitie to go for London), give me our proportion of the meill, and I, with the reſt of the officers who wer all moſt willing to go over with me, ſhould carie over the regiment, tho' we ſhould hutt in the ſeillds, till we ſaw what ſhould becom of that army. I was anſueired, that could not be done in ſo ſhort tym, for ſo we ſhould fall under the certificat. And, to ſpeik trewlie, we neidleſlie drew manay neceſſities upon our ſelfs quhich was not impoſſed by the order. When we ſaw ther was no poſſibilitie to prevein what thes who commanded had deſigned, we creaved for our exonerations, at your Lordſhip's hands, each on a particular order under his hand, quhich when I ſhall have the happienes to ſee your Lordſhip, I ſall, God willing, ſhow: then your Lordſhip's leivtenent, Captain Dowglas, and I, went and commanded out of our thrie companyes 8 ratt of men, with a few days' meins, who, with thes of Captain M^{c}Culloch's, went over as on or two of your Lordſhip's companyes, with two leivtenents, Leivtenant Robert Ker, Leivtenant Robert Wright, one enſigne, and thrie ſergents. They wer to receave command from Captain M^{c}Culloch, who promiſed to do all he could for ther ſubſiſtance to keip them together within his lands, as Orchertin does his, as on or mor of your Lordſhip's companyes, tho' they ſhould receave no mentinence of the Eſtait, till he ſaw what ſhould be your Lordſhip's pleaſour anent that regiment. This is the trew, tho' tedious, relation of our brave

buſſines, and all could be done by me for keiping your Lordſhip's intereſt in that countrie by that regiment.

Now, my Lord, if that army in Irland be to be diſbanded, I humblie creav your Lordſhip's pardon for my oppoſſition of the ſo feaſonable diſmiſſing of your Lordſhip's regiment; and if not, bot that your Lordſhip's regiment be to ſtand as formerlie, we humblie deſyr your Lordſhip wald fend us down an order for apprehending of our runaways; or your Lordſhip wald be pleaſed to wryt to the Committee of Eſtaits to grant us an warrant heirfor, and the countries receaveing them into ther priſons; and we ſhall oblidge our felfs to carie over in a moneths tym, verrie neir two hundereth of them. This wald be done (if it wer your Lordſhip's pleaſour) in heaſt, leiſt thes who ar over alredie, diſpair of any mor of our overcomings, and ſeparat: however, I humblie bege to know your Lordſhip's pleaſour heirinto, who am, my Lord, your Lordſhip's moſt humble and oblidged ſervant,

A. Karr.

Melrose, 29 Apryle 1647.

For the right honorabill
his moſt noble Lord and Collonell
the Earle of Lothian at Holmbie Hows or London—theſe.

1647 May 16.

A. Karr to the Earl of Lothian.

My noble and moſt good Lord, Being returned to Edinburgh in confidence aither to have had the happenes to have ſein your Lordſhip, or certanlie have hade your Lordſhip's anſueir to my laſt, unfortunatlie I find this other,—my letter neglected in the packet-ſhop, whos keiper I can not bleam ſo much as thes to whom I intruſted it. I am hartilie ſorie it ſhould not have bein in your Lordſhip's hands or this, and now will truble your Lordſhip with no repetition of what is in it, only humbly deſyr your Lordſhip's pleaſour anent your Lordſhip's regiment, that if it be a ſtanding regiment and that army be not [diſbanded] your Lordſhip aither wald be pleaſed to

wryt us an order for the apprehending of our runaways, wherof a grit number is to be had, or to wryte to the Committee of Eſtait, that they would give us a warant for gathering of them togither and impriſoning of them upon the publict expenſs. Bot if we knew whither the army in Irland ſtand or not, we ſould be doing without any warant ſave your Lordſhip's. My Lord, this ſeiming diſbanding does ſo caſt my brother and me in ſuſpence as we know not what to do. To ſeik for imployment till wee ſee what ſall be your Lordſhip's reſolutions wer in us, both baiſnes and ingratitude, and without ſervice we ar not able to ſubſiſt. Therfor if it fall that our army in Irland be reduced or modalized (as we hear a word of heir), and your Lordſhip keip interaſt therin, we ar confident your Lordſhip will be pleaſed to remember thes who hes only ther particular relyance upon your Lordſhip, and under whom we had the beginnings of our poor fortuns, quhich at the beſt, with our ſelfs, we do and ſhall devoat to your Lordſhip's ſervice as becometh, my Lord, your Lordſhip's moſt humble and oblidged ſervants.

A. Karr.

Edinburgh, 16 May 1647.

For the right honorabill
his moſt noble Lord and Collonell
the Earle of Lothian, at London—thefe.

Marie de la Tour, Duchesse de Thouars,[1] to the Earl of Lothian. 1647 May 17.

Monsieur, Les teſmoignages que j'ay receus de voſtre bonne volonté lorſque j'ay eu l'honneur de vous voir en cette ville, m'ont donné grand ſujet de joye, quand j'ay apris combien vous pouués contribuer à la ſatisfaction de Monſieur le Comte Derbye par le credit et la creance que vous aués en voſtre Parlement, et que deſjà, il

[1] Marie de la Tour, daughter of the Duc de Bouillon, married her couſin, Henri de la Trémoille, Duc de Thouars, brother of Charlotte, Counteſs of Derby.

à reſſenty les effects de voſtre afection. Je vous en ſuis extremement obligée, et vous ſuplie de luy continuer voſtre aſſiſtance et vos bons offices, en ſorte qu'il puiſſe perſuader Meſſieurs du Parlement de ſes bonnes intentions, et par ce moyen reſtablir ſa maiſon en ſon premier eſtat. Madame la Conteſſe Derbye me mande qu'elle employe tous ſes ſoins et ſes amis pour cela, et qu'elle vous a de fortes obligations. Nos intereſts ſont ſi conjoints qu'il ne ſe peut que je n'y prenne beaucoup de part: auſſy rechercheray-je auec grand ſoin les occaſions de vous en temoigner mes reſſentimens par mes ſeruices, et que je ſuis, Monſieur, voſtre très-humble ſeruante,

MARIE DE LA TOUR.

A PARIS, ce 17 May 1647.

A Monſieur,
Monſieur le Comte de Lothian, à Londre.

1647 December 5.

ALEXANDER KIRKTON and OTHERS to the EARL OF LOTHIAN.

RICHT HONORABILL, Albeit your Lordſhip be informit that Robert Stewart, trouper under Generall Lovetennent Leſlie, being committit to waird within the Tolbuith of Jedburgh upoun Thurſday laſt, for killing of umquhile Williame Tait, ſervand to the laird of Hunthill, conforme to ane warrand gevin be the Schereff of Tiviotdaill to us; about the number of thrieſcoir trouperis came yiſternight, being Saturday, the fourt of this inſtant, in the nicht ſeaſon, with ſwordis, petrellis, and piſtollis, all our toun being in bed (except ſaxtene perſonnes upon the watch), to the ſaid Tolbuith, and hurt thrie of our watchmen and ſtraik up the Tolbuith doore with foir hammeris, and tuik away the ſaid Robert Stewart with ane pair of ironis upon his leg; thairſoir all our recourſe is to your Lordſhip, humblie deſyreing your Lordſhip wald be pleiſit to repreſent our preſent grevance and pitifull oppreſſioun to the Counſall and to the ſaid Generall Lovetennent as your Lordſhip ſall think expedient, quhairby ſick courſe may be takin thairanent as ſick factis meritis. Swa, expecting your Lordſhip's

aſſiſtance heirin, committing your Lordſhip to the protectioun of the Almightie, reſtis your Lordſhip's ſervandis,

ALEX. KIRKTOUN.
AR. BROUNE.
GEORGE WESTROPE.
RO. RUTHERFURD.

JEDBURGH, the 5 of December 1647.

To the richt noble and potent Erle
William, Erle of Lothiane, theſe.

ARCHIBALD, MARQUESS OF ARGYLL, to the EARL OF LOTHIAN. [1648] March 2.

MY NOBLL LORD, I receaved your Lordſhip's from Leidg the 8 of February; yours from the hous neer Holdenbie was this day read in the Hous; we ar to heaue it, and all our buſineſs concerning England, in the great Committee. Sum men heaue uſed all the means they can to get intereſt in the imployment thair, but finding that is lyk to faill them, no les induſtrie is uſed to heaue the Commiſſion that is, voyd and without succeſſion. What the Parliament will doe in this I know not, but ſum ar put to ſtraits in it, being, as it appears, in thair oun particular. We finde great difficultie to intertain our forces; but wee ar doing as wee can. The pakket is cloaſing, and I heaue no mor to ſay, but that I am your Lordſhip's affectionate Uncle and ſervant,

A. M. ARGYLL.

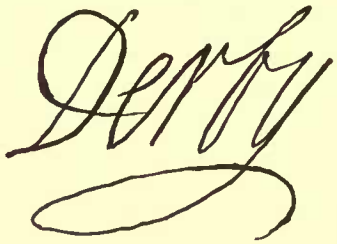
EDINBURGH, 2 March [1648].

For the Erle of Lothiane.

JAMES, EARL OF DERBY, to the EARL OF LOTHIAN. 1648 May 29.

MY LORD, I haue heard lately that your Lordſhip, and very many of your nation, are actiue in a buiſneſs of the greateſt concernment in this world. My deſire is to knowe the truthe of the reports wee haue. I am ſure that ther is not any from whom I can ſo much expect a

ſatisfaction therof, as from your Lordſhip; wherfore I haue purpoſely ſent my ſeruant, Browne, the bearer heerof, to waite vpon your Lordſhip, and to returne ſpeedily with your letters and commandes; for I doubt not but I am ſtill in your memory, as one in whom long ſince you haue great intereſt, and whom you may be confident to be conſtantly your Lordſhip's moſt affectionate and humble ſeruant,



May 29, 1648.

For the Earle of Lothian.

[1648] September 10.

John, Earl of Crawford and Lindesay,[1] to the Earl of Lothian.

Struther, the 10 September [1648].

My noble Lord, Ye ſie now what a ſad condiſſion this kingdome is broght to, and how religion, his Majeſtie, and al is verie neir loſt, unles ſum other way be takin; and I ſuppoſe when we haue al donne

[1] John, Earl of Crawford and Lindſay, was the ſon of Robert, ninth Lord Lindſay of Byres, and was ſerved heir to his father, October 1, 1616. He was created Earl of Lindſay in 1633; but the patent was ſtopped in conſequence of his joining the party who oppoſed the King in the Act of Uniformity. In 1641, he was appointed an Extraordinary Lord of Seſſion, when he obtained his patent as Earl, and on the forfeiture of Ludovick, Earl of Crawford, ſucceeded alſo to that title. In 1645, he was choſen Preſident of Parliament, and oppoſed ſtrongly the vote by which the Eſtates agreed to deliver up Charles I. to the Engliſh Parliament in December 1646. He ſubſequently entered into the deſign for raiſing an army to aſſiſt Charles II. in invading England; but was taken priſoner at Alyth, by a part of the Engliſh garriſon at Dundee, and remained in captivity till March 1660. He died in 1676, about the eightieth year of his age. (*Brunton and Haig's Senators of the College of Juſtice*, pp. 312-313.)

what we can, the work wilbe deficult eneuch. I wiſe your judicatories wold lay by ther acts of ſeperation, and ſum of your freinds ther neidles jealecies, which I ſal the rather ſpeak of [as] of ſum idle diſcources, as if ther had been deſings againſt them. I wiſe men of wiſdome wold be as far from leting ſuch fancies enter in ther mynds as the perſons they louk on with moſt jealocie wold be from ſuch bace acts. None of us ſhow ſpleane, ether againſt ther perſons, planes, or fortuns, when we find pouer in our hands; and if ye can perſuad them yet to doe what is fite in their extremitie, ye ſal ſie ſum men voyd of animoſitie and redy to doe euerie thing mey tend to Scotland's good. If other wayes be takin, let God reckon with thoſe whoſe ends, or aprehentions, ar prefered to the publick good. I ſal inſiſt no more, but aſſur your Lordſhip, let the world goe as it wil, I ſhalbe ſtil your Lordſhip's moſt humble ſeruant,

CRAFURD AND LINDESAY.

For the right honorable
the Earle of Lothian, Secretarie of Eſtat—thes.

A. R. DOUGLAS and OTHERS to the EARLS OF BUCCLEUCH AND LOTHIAN.

1648
September 28.

MY LORDS, We haue had tua randevous of thir ſchyres,[1] Monday and this day, Thurſday; bot hes maid ſmall progreſs as yit, be reſſoun of the Ingliſche merchand throw the ſchyre, and hes reſſeaiwt non of the Earle of Roxbrughis men as yit. Setterday is our laſt day of randevow att Ancrum bridge, whair we expect the laſt man, but

[1] The Scots having been excluded from any ſhare in the deliberations regarding the diſpoſal of the King, and all acceſs to his perſon denied them, it was reſolved to put the kingdom in a poſture of defence. But the Royaliſts being impatient for action, a party, under Langdale and Muſgrave, surpriſed and took poſſeſſion of Carliſle and Berwick. The near preſence of theſe "malignants" was uſed as a pretext for a general levy, to which the above letter evidently refers. (*Laing's Hiſtory of Scotland*, vol. iii. pp. 397, 398.)

ſhort of our proportioun appointtit to us. We had 200 hors togidder to day in reddines to haue merchit, and hes quartered them vpoun deficientis. We intreat your Lordſhip's ordouris againſt that tym be tuelff a clok, iff poſſible it can be, or utherwayes als ſoone as can be. We wreitt to your Lordſhip of befoir, and expectit the lettres fould have comed to your hands, bot miſcaryed, whilkis now your Lordſhip may peruſe. Thus, committing your Lordſhip to God, we remaine, your Lordſhip's humbill ſerwands,

A. R. Douglas.
W. Eliqtt.
William Scott.

From Murehouslamure,
28 of September 1648.

To the richt honorabill our verie good Lords,
the Earlis of Buccleughe and Lothiane, or aither of them.

1648
December 9.

Alexander, Lord Balcarres, to the Earl of Lothian.

My Lord, I intended to have waited on your Lordſhip before yee had taikne journey; bot beſides, that I am called before this Preſbitrye againſt Tuiſday nixt, I have juſt now hard from Edinburgh that your Lordſhip is gone this daye, or to be gone tomorrow; ſo, fearing to miſſe your Lordſhip, and in that caſe having nothing adoe there, I ſhall only give your Lordſhip the truble of this letter, and in it ane accnouledgment under my hand that my obligations to your Lordſhip have bien, and ar, greater nor I can knowe which waye to expreſs my thankfulneſs for them. All I can doe is to deſire to doe you ſervice, and if ever it be in my poſſibilitie to doe your Lordſhip any, I ſhall æſtieme it a happineſs aboove any publick truſt or imployment whatſoever, which, tho I be thocht unworthy off now, yet I ſhall not ſieck after, as I ſhall alwayes the opportunityes off manifeſting my ſenſe off your Lordſhip's favours, without which, I ſhall profeſſe, I had bien in a worſe caſe nor I can yet find myſelfe by all the publick neglects and injuries I think I receive; for without theſe I can ſome way lieve like

a gentleman, & I thank God, with a great deale of peace in my foule, having folloued this buſineſs with as much integritie, I darre ſay it, as any off theſe, by whoſe zeale I am noue in this condition. Bot I'l forbeare complaining off injuries, and humbly begg a neue favour off your Lordſhip, and that is, your endevor for my brother's relieffe, who is now hier, bot muſt rander him ſelfe priſoner at Newcaſtle again the 20th off this month. Yet I ſhall not at all deſire it, if your Lordſhip's ſpeaking for it, may not be without any offence to your friends, and the leaſt præjudice to your ſelf and the buſineſs yee goe about. Bot ſince it ſiems no ranſome will be accepted for him, and that I muſt owe his libertie to ſome bodye, I'l rather chooſe to be in your Lordſhip's debt for it then any man's elſe; and if your Lordſhip can effectuat it, I ſhall owe him (as he will himſelfe) to your Lordſhip, amongſt the reſt off your noble favours. However, I am already as much as I can be any thing, your Lordſhip's moſt faithfull and humble ſervant,

A. Balcarres.

At Balcarres, 9th of December 1648.

J. Hamilton[1] to the Earl of Lothian.

1648 December 13.

My most noble Lord, Hearing of this occatione by the Earle of Derbie, vnder quhos ſhaddow for the preſent I am reſting, I was bold to lett your Lordſhip know quhat favours I hav receaved att his hands out of his reſpects to your Lordſhip, after I had accidentalie mad knowen to him my relatione to your Lordſhip. My Lord, I hav hithertills beine a large ſhairer of your favours, and tho' I can nott claime any of your Lordſhip, yet I am bold to intreatt your Lordſhip quhen ye hav occatione to writt to the Earle of Derbie, or his ladie,

[1] Not improbably James Hamilton, who ſucceeded his father as third Lord Strabane, a Royaliſt. He died in 1655.

to mentione your ſence of ther reſpects to me, and likways to lay ſom commands on him quho deſirs to be imployd in your Lordſhip's ſervice. I pray God bliſe your Lordſhip in all your ways.—Your Lordſhip's moſt humble ſervant,

J. Hamilton.

Castelltoune, the 13 December 1648.

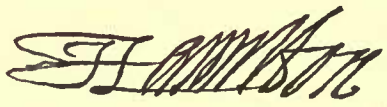
For the right honourabill
my moſt noble Lord the Earle of Lothiane—theſſe.

[1648] December 23.

James, Duke of Hamilton, to the Earl of Lothian.

My Lord, When I conſider the great freindſhipe that hath beine betuixt your Lordſhip's family and myne, your oune nobilnes expreſſed vpone diuers ocaſiones to my ſelf, I ſhould account it a crime in me to miſdout your fawore in this tyme of my diſtres.[1] I ſhall therfor only ſay that thoe it hath pleaſed God to make me ane vnfortunat ſeruant to the Parlliament of my countrie, yet it is for obaying ther commands I now ſuffer; and ſo I truſt in God to be looked on, and not as ane enimie to eather Kingdomes, for whoes peace and hapines, and that ther may be a right vnderſtanding betwixt them and amongſt them ſelfes, the prayeres ſhall neuer be wanting of your Lordſhip's moſt faithfull and humbill ſervant,

Windsoure Castle, 23 Decembre [1648].



For the right honorable
the Earle of Loudian.

[1] The Duke of Hamilton, ſhortly after his defeat at the battle of Preſton in Auguſt 1648, ſurrendered himſelf to General Lambert at Uttoxeter, and notwithſtanding a ſtipulation in the articles of capitulation for the ſecurity of the lives of himſelf and thoſe who were captured with him, he was beheaded on the 9th March 1649. (*Burnet's Memoirs*, pp. 364-405.)

CORRESPONDENCE between the COMMISSIONERS FROM THE COMMITTEE OF ESTATES OF SCOTLAND[1] and the PARLIAMENT OF ENGLAND, 1649. 1648/9 January 6.

To the SPEAKER of the HOUSE OF COMMONS.

SIR, The Comittee of Eſtates of the Kingdom of Scotland, underſtanding that the honourable Houſes of Parliament were proceeding in a Treaty for peace with his Majeſty, did, about the beginning of the laſt month, authorize us to preſent propoſitions to his Majeſty; and particularly to deal with him and the honourable Houſes, for eſtabliſhing the Covenant and Preſbyterial Government, the Confeſſion of Faith, Directory for Worſhip and Catechiſme; for preventing the toleration of idolatry, popery, prelacy, ſuperſtition, blaſphemy, hereſy, and ſchiſme, and for perfecting the great work of Reformation and Uniformity according to the Covenant; the ſubſtance whereof hath been formerly communicated in a letter from the Commitee of Eſtates to both Houſes, and by one of our number upon his reception at the Commitee of Derby-houſe, by order from the Houſes of Parliament. But to our great grief, we do perceive that the diſtractions

[1] Towards the end of 1648, the Earl of Lothian, Sir John Chiefly, Mr. William Glendonning, and Mr. Robert Blair, were appointed Commiſſioners from the Committee of Eſtates to repreſent the Kingdom of Scotland in the arrangements between the King and the Parliament of England. Balfour, in his *Annals*, vol. iii. p. 377, relates: "This day (January 5, 1649) a letter from the Scotts Commiſſioners, E. of Lothean, Chifley, and Glendinning, from London, red in the Houſſe, ſhewing the grate attentione of affaires ther, and how that above 160 members of the Houſe of Comons wer extrudit the Houſſe by the blaſphemous armey; as alſo, how the Comittey of the Armey had reſolved to putt the King's Maieſtie to the tryall of a Counſaill of Warre," etc., and defiring "inſtructions how to carey themſelves in ſo difficult a buſſines." Theſe Inſtructions are given in the ſame volume, pp. 383-385.

of this Kingdome are, beyond our expectation, grown exceeding high; that a force hath been placed on the paſſages to the Houſes, which during tranſactions of higheſt concernment, hath impriſoned and fecluded a great number of Members of Parliament, and given occaſion to many others to withdraw, becauſe they find they cannot act as in a free Parliament; that applications are made to you for proceeding againſt the King, to take away his life, and for changing the government of this Kingdom; and ſtrong endeavours are uſed to overturn the whole work of Reformation, to caſt off the Miniſtry, and introduce a toleration of all religions and forms of worſhip, and ſo in effect, to deſtroy the cauſe wherein both Nations have been engaged, and fruſtrate all the ends of the Solemn League and Covenant, which both Kingdoms have ſworn with uplifted hands to Almighty God, ſincerely, realy, and conſtantly to perform.

The conſideration of theſe things doeth exceedingly trouble us, and fill our hearts with fears, that as they are for the preſent matter of great provocation of the wrath of God againſt us, diſhonourable to His name and a reproach to religion, ſo, if perſiſted in, that they ſhall greatly weaken and divide us amongſt ourſelves, unite forraign enemies againſt us, advance the popiſh intereſt, loſe Ireland, and in end prove diſtructive to the Reformed religion, and to the peace and happineſs of theſe Kingdoms.

In the year 1640, when theſe Kingdoms were oppreſſed under the yoke and tirrany of the Prelates, who then were far advanced in the deſign to introduce Popery, the Kingdom of Scotland did join their endeavours with this Kingdom, to procure a free Parliament here, looking upon it as the chief mean, by the bleſſing of God, to give a check to the deſigns of the Prelates, who were ſtudying the chang of religion; and to the interpriſes of evil Counſellors about the King, who were endeavouring to eſtabliſh an arbitrary and tyrannical government; and afterward, when through the power and prevailancy of papiſts, prelates, and malignants, this kingdom was diſtreſſed, the Kingdom of Scotland did enter into a Solemn League and Covenant

with this Nation, for reformation and defence of religion, the honour and happineſs of the King, and the peace and ſafety of the three Kingdoms; and particularly, for bringing the Churches of God therein to the neareſt conjunction and Uniformity in religion, Confeſſion of Faith, Form of Church government, Directory for worſhip, and Catechiſeing, for extirpation of popery, prelacy, ſuperſtition, hereſy, ſchiſme, prophaneſs, and whatſoever ſhall be found contrair to ſound doctrine; for mutual preſervation of the rights and priviledges of the Parliaments and liberties of the Kingdoms; for diſcovering of incendiaries, malignants and evil inſtruments that hinder the reformation of religion, divide the King from his people, or one of the Kingdoms from another, or make any faction or party among the people contrary to this League and Covenant, that they might be brought to publick triall and puniſhment; for preſerveing peace and union betwixt the Kingdoms, and defending one another in this cauſe; and continueing therein all the days of our lives, zealouſly and conſtantly, againſt all oppoſition, and for promoting the ſame, according to our power, againſt all letts and impediments whatſoever.

In purſuance of the Solemn League and Covenant, both Houſes of Parliament have often declared that they will eſtabliſh the Reformation of religion, extirpate popery and prelacy, and ſuppreſs hereſy and ſchiſme; and that they will maintain the fundementall government of this Kingdom by King, Lords, and Comons. And when, the common enemy being ſubdued, the Scotiſh army was to go out of this Kingdom, in the beginning of the year 1647, and his Majeſty, by conſent of both Kingdoms, was to come to Holdenby, the Houſes of Parliament did declare, both to the King and to the Kingdom of Scotland, that reſpect ſhould be had to the ſafety and preſervation of his Majeſty's perſon, in the preſervation and defence of the true religion and liberties of the Kingdoms, according to the Covenant; and when the King ſhould be at Holdenby, and the Scottiſh forces gone out of this Kingdom, that they would join with the Kingdom of Scotland in imploying their beſt endeavours to procure his Majeſty's aſſent to the

propoſitions agreed on by both Kingdoms; and in caſe the King ſhould not give his aſſent thereunto, that the two Houſes are ſtill reſolved to maintain the happy union already ſettled between the two Kingdoms, according to the Covenant and Treaties. The Parliament of Scotland did at the ſame time alſo publiſh a Declaration of their intentions (whereof one copy was delivered to his Majeſty and an other to the Houſes of Parliament), that in the interim (untill his Majeſty ſhould give ſatisfaction to both Kingdoms in the propoſitions of peace), there ſhould be no harm, prejudice, injury, or violence done to his royall perſon; that there ſhould be no change of government, other than had been for the three years preceeding; and that his poſterity ſhould be noways prejudiced in their lawfull ſucceſſion to the crown and government of theſe Kingdoms.

Theſe being the engagements of both Kingdoms, jointly togither and ſeverally one to another, for the ends aforſaid, we hold it our duty to endeavour that the reformation of religion be ſettled and eſtabliſhed, as is before expreſſed; and eſpecially, that the toleration of idolatry, popery, blaſphemy, hereſy, and ſchiſme be prevented, leaſt we partake in other men's ſins, and thereby be in danger to receive of their plagues; that the rights and priviledges of Parliament may be preſerved; that there may be no change of the fundamentall government; and that there be no harm, injury, or violence, offered to his Majeſty's perſon, the very thought whereof the Kingdom of Scotland hath always abhorred, as may appear by all their proceedings and declarations, and the Houſes of Parliament have, upon ſeverall occaſions, expreſſed a deteſtation thereof in their declarations.

Wherefore we doe expect that there ſhall be no proceeding againſt his perſon, which cannot but continue and encreaſe the great diſtractions of theſe Kingdoms, and envolve us in many difficulties, miſeries, and confuſions; but that by the free councils of both Houſes of Parliament of England, with the advice and conſent of the Parliament of Scotland (which is now ſitting), ſuch courſe may be taken in relation to him, as may be for the good and happines of theſe Kingdoms, both

having an unqueſtionable intereſt therein.—We are, your affectionate freinds and ſervants,

LOTHIAN.
JO. CHIESLY.
WILL. GLENDONING.

6 Januarij $164\frac{8}{9}$.

For the honourable William Lenthall, Eſq^{r},
Speaker of the Houſe of Comons.

LETTER from the COMMISSIONERS to the PARLIAMENT OF SCOTLAND, wherein a copy of the above was incloſed. 1649 January 9.

MAY IT PLEASE YOUR LORDSHIPS,—

Upon Thurſday laſt, the Comonns paſt theſe votes encloſed, declaring the people, under God, to be the original of all juſt power, themſelves to be the ſupreme authority of this Nation, and that they alone have power to make laws, though the King and Lords conſent not thereunto. Upon Friday, the ordinance for trial of the King was ingroſſed; and order was given to commit him cloſe priſoner. Wherefore, being certainly informed, that upon Saturday it was to paſs as an Act of Parliament, and likewiſe, takeing into conſideration the manifeſt dangers to religion, the priviledge of Parliament, and fundamentall conſtitution of the government of the Kingdom, we found that we could not anſwer your Lordſhips' expectation and the truſt repoſed in us, if we ſhould be longer ſilent. And in purſuance of our commiſſion and inſtructions, we delivered this letter to the Searjant of the Houſe, at the door, about twelve of the clock, it being about that time before they were a quorum. After the Searjant had delivered our letter to the Speaker, he was ſent to enquire if the letter was to the Speaker only, or to be communicated to the Houſe; and we anſwered it was to be communicated to the Houſe. Yet, notwithſtanding, it was laid aſide and not read: and they proceeded in the buſineſs concerning the King, and paſſed the Commiſſion for his trial, in the nature of an Act of Parliament, the ſubſtance whereof is the ſame with the ordinance whereof we ſent a copy the laſt week.

Yeſterday, the General [Fairfax ?] and others of that Commiſſion mett at the Painted Chamber and ſatt very late. What they did wee know not, further than that this day, when wee were at Weſtminſter Hall, there came into the Hall ſome trumpeters and horſemen, with a herald, and made a proclamation, the ſumm whereof was, that by vertue of an Act of Parliament of the Comonns of England, a Commiſſion was given for triall of Charles Stewart, King of England; and that the Commiſſioners were to meet for that purpoſe tomorrow, at one of the clock in the afternoon, at the Painted Chamber. The end of that proclamation, as is conceived, was to invite all men to bring into thoſe Commiſſioners what they have to ſay againſt the King. Whither he is to be brought hither, or they are to ſend ſome to Windſor to him, we know not; but many think they will proceed with expedition.

In the letter which we have given in to the preſent Houſe of Comonns, we have only related the matter of fact, touching the late proceedings, without declaring any opinion thereupon. Concerning religion, we have expreſſed the deſires of the Kingdom of Scotland, and given a teſtimony againſt Toleration, and anent the King. We have proceeded upon the grounds contained in the Declaration of the Parliament of Scotland, of the 16th of January 1647, and the Declaration of both Houſes, when he came from Newcaſtle to Holdenby, which we did the rather mention at this time, becauſe it is frequently objected that the Kingdom of Scotland did part with the King without any conditions. We have ſent your Lordſhips the reaſons of the Council of War for ſecureing and ſecludeing the Members of Parliament; which is all we have to ſay for the preſent, but that we daily wait your Lordſhips' ſpeedy directions, and ſo remain, your Lordſhips' moſt humble ſervants,

LOTHIAN.
JO. CHIESLY.
WILL. GLENDONING.

COVENT GARDEN, 9th of January 1649.

For the Moſt Honourable
the Lords and the Commiſſioners of Shires and Boroughs,
aſſembled in the Parliament of Scotland at Edinburgh.

To the Speaker of the House of Commons. 164$\frac{8}{9}$ January 19.

Sir, Upon the ſixth of this inſtant, we ſent to you a letter, with a copy of our Commiſſion incloſed; and delivered another letter to be therewith communicated to the Houſe, which were directed as uſually former letters from the Commiſſioners of Scotland to the Houſe of Commons, have been. And when, upon the delivery thereof, the Serjeant of the Houſe was ſent to enquire of us whether the letters were to the Speaker himſelf, or to be communicated to the Houſe, we anſwered, that they were to be communicated to the Houſe. And though we have diverſe times ſince ſolicited you for the reading theirof, yet we underſtand that our letters do ſtill remaine in your hands, and have not been communicated. Wherefore, we hold it our duty hereby to repreſent our ſenſe of this delay, expecting that we ſhall be enabled to give an accompt of our endeavours to the Parliament of Scotland. And ſo we reſt, your affectionate friends and ſervants,

Lothian.
Jo. Chiesly.
Will. Glendoning.

Covent Garden, the 19th of January 164$\frac{8}{9}$.

For the honourable William Lenthall, Eſq.,
Speaker of the Houſe of Commons.

To the Speaker of the House of Commons. 164$\frac{8}{9}$ January 22.

Sir, We were exceedingly ſurpriſed upon Saturday in the afternoone, when we heard that his Majeſty was brought before this new extraordinary Court; and that there ſhould be ſuch haſt and precipitation, notwithſtanding the reſolution taken by the Houſe upon reading of our letter of the ſixth of this inſtant, to take into conſideration what we had therein preſſed, as was ſignified by yow to ſome of our number; wherefor we have ſent you this encloſed paper, to be forth-

with communicated unto them. And in purſuance of the directions which we have received from the Kingdome of Scotland, we do deſire that they will take effectual courſe, that we may have free acceſs to his Majeſty this day, and afterwards upon all occaſions as we ſhall think fitt, without any interruption or moleſtation whatſoever. And ſo we reſt, your affectionate friends and ſervants,

LOTHANE.
JO. CHIESLY.
WILL. GLENDONING.

COVENT GARDEN, the 22 of January $164\frac{8}{9}$.

For the honourable William Lenthall, Eſq.,
Speaker of the Houſe of Commons.

$164\frac{8}{9}$
January 22.

PROTESTATION.

By our letter of the ſixth of this inſtant, we repreſented unto you what endeavours have been uſed for the taking away of his Majeſty's life; for change of the fundamentall gouernment of this Kingdome, and introducing a ſinful and ungodly toleration in matters of religion. And therein we did expreſſe our ſad thoughts and great feares of the dangerous conſequences that might follow thereupon. And further, we did earneſtly preſs that there might be no proceeding againſt his Majeſty's perſon, which would certainly continue the great diſtractions of theſe Kingdomes, and involve us in many evills, troubles, and confuſions; but that by the free counſells of both Houſes of the Parliament of England, and with the advyſe and conſent of the Parliament of Scotland, ſuch courſe might be taken in relation to him, as may be for the good and happines of theſe Kingdomes, both having an unqueſtionable and undeniable intereſt in his perſon as King of both; which duely conſidered, we had reaſon to hope, ſhould have given a ſtop to all proceedings againſt his Majeſty's perſon. But we underſtand that after many Members of the Houſe of Commons have been

impriſoned and ſecluded, and alſo that without and againſt the conſent of the Houſe of Peers, by a ſingle act of yours alone, power is given to certaine perſons of your own number of the army and ſome others to proceed againſt his Majeſty's perſon, in order wherunto he was brought upon Saturday laſt in the afternoon before this new extraordinary Court: Wherefore, we do, in name of the Parliament of Scotland, for their vindication from falſe aſperſions and calumnies, declare, that though they are not ſatisfied with his Majeſty's conceſſions in the late treaty at Newport in the Iſle of Wight, eſpecially in the matters of religion, and are reſolved not to crave his Majeſty's reſtitution to his government, before ſatisfaction be given by him to his Kingdomes, yet they doe all unanimouſly with one voice (not one member excepted) diſclaime the leaſt knowledge of, or acceſſione to the late proceedings of the army here againſt his Majeſty, and ſincerely profeſſe that it will be a great grief unto their hearts, and lie heavy upon their ſpirits if they ſhall ſee their truſting of his Majeſty's perſon to the honorable Houſes of the Parliament of England to be made uſe of to his ruine, ſo far contrary to the declared intentions of the Kingdome of Scotland and ſolemn profeſſions of the Kingdome of England. And to the end it may be manifeſt to the world how much they abominate and deteſt ſo horrid a deſigne againſt his Majeſty's perſon, we doe, in the name of the Parliament and Kingdome of Scotland, hereby declare their diſſent from the ſaid proceedings and the taking away of his Majeſty's life; and proteſt that as they are altogether free from the ſame, ſo they may be free from all the evills, miſeries, confuſions, and calamityes that may follow thereupon to theſe diſtracted Kingdomes.

January 22, $164\frac{8}{9}$.

Lothiane.
Jo. Chiesly.
Will. Glendoning.

1649
January 29.

To the Lord Fairfax.

May it please your Excellency, We have divers times waited on yow to ſollicit your endeavours for preſervation of his Majeſty's perſon, and now having received particular directions from the Eſtates of the Parliament of Scotland to make applicatioun to your Excellency for the ſame end, we doe in there names earneſtlie deſire and entreat that yow will take into ſerious conſideration that the Kingdome of Scotland hath undoubted intereſt in his Majeſty's perſon, and how hard a thing it is to proceed againſt there King, not only without, but againſt their adviſe and conſent. That his perſon was intruſted by that Kingdome to the honorabill Houſes of Parliament, and how much it will reflect upon the honour of Scotland and the faith of England to take away his life. Be pleaſed alſo to remember the many tyes and bonds of love and friendſhip betwixt the Kingdomes, there ſolemne engagement in one cauſe and covenant, and the many obligations and mutuall good offices which have paſſed betwixt the Kingdome of Scotland and the forces under your command. Conſider what an unſetled peace it is like to prove, which ſhall have its foundation laid on the blood of the King; what dangerous evills and grievous calamities it may bring upon us and our poſteritie; what reproach upon religion and the work of reformation; and what infamie abroad in other nations: and let it never be recorded to future ages that yow have been wanting in your duty at ſuch a time as this, but acording to the eminencie of your place, honour, and dignitie, and the greatneſs of your intereſt, improve this preſent opportunitie by all lawfull wayes and meanes to prevent the taking away his Majeſty's life, wherein we do alſo earneſtlie entreate the concurrence of your Councill of Warre; and ſo we reſt, your Excellency's moſt humble ſervants,

Lothian.
Jo. Chiesly.
Will. Glendonning.

29 January 1649.

For his Excellency, the Lord Fairfax,
General of the Parliament's forces.

The DESIRES of the COMMISSIONERS OF THE KINGDOM OF SCOTLAND that both Houſes of Parliament may ſitt in freedome for ſettling of Religion according to the Covenant, and that KING CHARLES THE SECOND (upon juſt ſatisfaction given) may be admitted to the Government of theſe Kingdomes.

Together with their PROTESTATION againſt all proceedings to the contrary.

In the yeare 1642, and afterwards in the yeare 1643, when the Popiſh, Prelaticall, and Malignant partie did grow prevalent in this Kingdom, the honourable Houſes of Parliament did communicate ſeverall Declarations and Papers to the Kingdome of Scotland, thereby to informe their judgments of the ſtate of the differences here, and to gaine their aſſiſtance, and invite their forces to come into this Kingdome; in which Declaration and other papers they affirm and declare that the army of the Houſes of Parliament was raiſed for the maintenance of the true religion, the King's perſon, honour, and eſtate, privileges of Parliament, rights and liberties of ſubjects, and for the prevention of the alteration of religion; that their enemy's deſigne was to corrupt and alter religion throughout the whole Iſland; and that they began with Scotland, knowing well that the ſame fate attended both Kingdomes; that they have only inverted the manner of their proceeding, conceiving it an eaſier way to deſtroy them, if they may firſt prevaile over the Parliament and Kingdom of England; that whenſoever religion is ſubverted or changed in the one Kingdome, it will eaſily be accompliſhed in the other, religion being the band and foundation of the happineſs of both; that what corruptions take root in England will quickly ſpread their venome and infection to their neighbour Church of Scotland. They declare the true ſtate of the quarrell to be Religion, in reformation whereof they are ſo forward and zealous, as there is nothing expreſſed in Scotland's former or latter Declarations, which they have not ſeriouſly endeavoured to effect. They earneſtly entreat the Generall

Declaration and account to all the world, Auguſt 1642.

Engliſh Commiſſioners, Auguſt 1643.

Aſſembly to further and expedite the aſſiſtance deſired by both Houſes from the Kingdome of Scotland, upon this ground and motive, that thereby they ſhall do great ſervice to God and great honour may redound to themſelves, in becoming the inſtruments of a glorious reformation, not only throughout this Iſland, but from thence poſſibly to be ſpread to other Churches, oppreſſed under the anti-chriſtiane bondage and tyrany of the popiſh and prelaticall faction. They commend the prudence and faithfulneſs of the Generall Aſſembly of the Church of Scotland, in propounding thoſe things which may conduce to a more cloſe and firm union of the two Churches and Nations of England and Scotland, in preſerving and maintaining the truth and purity of the reformed religion, not only againſt popery, but all ſuperſtitions, ſects, and innovations whatſoever; and declare that the Houſes of Parliament have ever made the reformation of Church government and diſcipline their chiefeſt aime, though they have been frequently interrupted, and powerfully oppoſed, in the proſecution and accompliſhment of it; and however they continue ſtill in the ſtorm and conflict, yet they take the peace, liberty, and preſervation which God hath afforded Scotland, as a pledge of the like mercy intended to them in his good time, hoping that God will perfect their deſignes and endeavours of a full reformation in all things pertaining to religion, and profeſs their earneſt deſires for unity of religion in all ſubſtantiall parts of doctrine, worſhip, and diſcipline, that both Kingdomes might be more ſtrictly united, and enjoy the advantages of his Majeſty's more eaſy, ſafe, and comfortable government, the people a more free communion in all holy exerciſes and duties of worſhip, and that there might be a more conſtant ſecurity of religion againſt the bloudy practices of Papiſts and deceitfull errors of Sectaryes. They remonſtrate that it is far from their purpoſe or deſire to let looſe the golden reines of diſcipline and government of the Church, to leave private perſons or particular congregations to take up what forme of divine ſervice they pleaſe, but do hold it requiſite that there ſhould be throughout the whole realme a conformity to that order which the

Declaration, September 1642, in anſwer to the Scots declaration.

Remonſtrance, December 1641.

lawes enjoyn according to the Word of God. They proteſt, in the preſence of the Allſeeing Deity, that the ſervices which they have been deſirous to performe to their ſoveraigne Lord and King and to this Church and State, in providing for the publique peace and proſperity of his Majeſty, and all his realms, to have been and ſtill to be the only end of all their councells and endeavours, wherein they have reſolved to continue, freed and enlarged from all private aimes, perſonal reſpects, or paſſions whatſoever. They oft mention their Proteſtation, taken by every Member of both Houſes, promiſing in the preſence of Almighty God to defend his Majeſty, and diſclaim the having any purpoſe to offer the leaſt violence to his perſon, which hath been, and ever ſhall be dear unto them. They declare that they expect the help and aſſiſtance of Scotland in defence of the cauſe which, if the Popiſh party prevail, muſt needs either involve them in that alteration of religion which will be made here, or engage them in a warre againſt this Kingdome to defend their own religion and liberty. And they profeſſe, before the Everliving God, the ſafety of religion, lawes, and liberties, in this and all other his Majeſty's dominions, to be the chief end of all their councells and reſolutions, without any intention or deſire to hurt and injure his Majeſty, either in his perſon or in his juſt power. That they reſt aſſured, both God and man, will abhorr and abominate that monſtrous and injurious charge laid upon the repreſentative body of this Kingdome, of deſigning the ruine, not only of his Majeſty's perſon, but of monarchy itſelf; and appeal to all the world whether worſe words than theſe can be given them.

May 1642.

Declaration, October 1642, in anſwer to the King's, concerning Keinton battle.

Declaration and Proteſtation to all the world, 1642.

Theſe Declarations and Solemne Ingagements were communicated to the Kingdome of Scotland, before they did joine in the warre with the Houſes of Parliament, and alſo both Kingdoms entered into a Solemn League and Covenant for reformation and defence of religion, for uniformity in one Confeſſion of Faith, Forme of Church government, Directory for Worſhip, and Catechiſing, for extirpation of popery, prelacy, ſuperſtition, hereſy, ſchiſme, prophaneſs, and what-

ſoever ſhall be found contrary to ſound doctrine and the power of godlineſs; for preſervation of the rights and privileges of Parliament, and liberties of the Subject; for the honour and happineſs of the King and his poſterity, and the peace and ſafety of theſe Kingdomes.

Declaration of the Houſe of Commons, 1646.

In the yeare 1646, after the power and ſtrength of the enemy was broken, the Houſe of Commons did, upon the 17th of April, publiſh a Declaration (which they likewiſe cauſed to be ſet up and affixed in every Pariſh Church), wherein they vindicated themſelves from ſeverall miſconſtructions and miſrepreſentations of their proceedings; as that they ſhould have any intention, or deſire to make uſe of the great ſucceſs God had given them, contrary to their former profeſſions, or to exceed or ſwerve from their firſt aimes and principles in the undertaking this war, and to recede from the Solemne League and Covenant and Treaties betwixt the Kingdomes, or to prolong theſe uncomfortable troubles, and bleeding diſtractions in order to alter the fundamentall conſtitution and frame of this Kingdome and to leaue all government in the Church, looſe and unſettled, and themſelves to exerciſe the ſame arbitrary power over the perſons and eſtates of the ſubjects which the preſent Parliament had thought fit to aboliſh, by taking away the Star-Chamber, High Commiſſion, and other arbitrary Courts, and the exorbitant power of the Council-Table. And farther, they declare that their true and real intentions are, and their endeavours ſhall be, to ſettle religion in the purity therof, according to the Covenant, and to maintaine the ancient and fundamentall conſtitution and government of this Kingdome, by King, Lords, and Commons.

In November 1647, when a petition was preſented to the Houſe of Commons, ſtiling them the ſupreme authority of the Nation, together with a printed paper annexed, intituled, *An Agreement of the People*, for a firm and preſent peace upon grounds of common right (which agreement, as we have found upon peruſall of both, is the ſame for ſubſtance with the agreement lately publiſhed), the Houſe of Commons did declare, that the matters contained in theſe papers

were deſtructive to the being of Parliaments and the fundamental government of the Kingdome, and appointed a letter to be written to the Generall, to examine the proceeding of that buſineſs in the army, and returne an account thereof to the Houſe. And when another petition, directed to the ſupreme authority of England, the Commons in Parliament aſſembled, was preſented the 23rd of the ſame month, they voted that petition, a ſeditious and contemptuous avowing and proſecution of the former petition and paper annexed, ſtiled *An Agreement of the People*, formerly adjudged to be deſtructive to the being of Parliaments and fundamentall government of the Kingdome. And another letter was appointed to be ſent to the Generall, to take notice of his proceedings in the execution of a mutinous perſon (who was an abettor of that Agreement) at the rendezvous near Ware, and to give him thankes for it, and deſire him to proſecute the examination of that buſineſs to the bottom, and to bring ſuch guilty perſons as he ſhall think fitt to condigne and exemplary puniſhment. All which declarations, proteſtations, oathes, covenants, and ſolemne engagements notwithſtanding, we find to our great grief, wonder, and aſtoniſhment, that contrary to the diſſent and proteſtation of the Kingdome of Scotland, his Majeſty is removed out of this life by a violent death; that Orders are publiſhed in print, intituled, Acts of Parliament, prohibiting the proclaiming of the Prince of Wales King of theſe Kingdomes; that the Commons which now ſit at Weſtminſter (after many Members of that Houſe have been impriſoned, ſecluded by force, or neceſſitated to withdraw, becauſe they cannot act as in a free Parliament), have voted away the Kingly office and the Houſe of Lords, and claime the authority of a Parliament; and under colour thereof, the power of repealing all oaths of allegiance or obedience whatſoever, even without exception of the Solemne League and Covenant, from which the conſcience can not be abſolved by all the powers on earth. We ſee likewiſe ſtrong endeavours uſed, and reſolutions taken, to maintaine a licentious liberty and ungodly toleration in matters of religion (as appeareth by a paper lately publiſhed,

commonly called *An Agreement of the People*), againſt which, on the 26th January laſt, we did preſent a teſtimony from the Commiſſioners of the Generall Aſſembly of the Church of Scotland, approved of by the Eſtates of Parliament of that Kingdome.

If the honorable Houſes of the Parliament of England, who made the Declarations and Engagements aforeſaid, had been permitted to ſit and act with freedome, we know there would have been no ſuch proceedings as we have already ſeen, nor cauſe to feare ſuch dangerous evills and ſtrange alterations as are now carried on by will and power. We may confidently ſay they would have been more mindfull of their many Declarations and the Solemn League and Covenant, and more ready to hearken to the adviſe of their brethren of Scotland. And however no regard hath been had by thoſe who now rule, to what we have formerly ſaid, and ſo we have ſmall hopes that any great notice ſhall be taken of what we ſhall further ſay; yet, in purſuance of the inſtructions we have received from the Parliament of Scotland, we hold it our duty to deſire, that there may be no toleration of idolatry, popery, prelacy, hereſy, ſchiſme, or prophaneneſs; that there may be no change of the fundamentall conſtitution and government of this Kingdome, by King, Lords, and Commons; that there may be nothing done which may wrong King Charles the Second in his ſucceſſion as righteous Heir of the Crowne of theſe Kingdomes. But that by the free councils of both Houſes of Parliament, reformation of, and uniformity in religion may be ſettled according to the Covenant; and particularly, that Preſbyterial government, the Confeſſion of Faith, Directory for Worſhip, and Catechiſme, may be eſtabliſhed; that the juſt right and title of King Charles the Second to the Crowne of theſe Kingdomes may be acknowledged, and upon juſt ſatisfaction given to both Kingdomes, he may be received and admitted to the exerciſe of his government. And if, notwithſtanding all our earneſt deſires and endeavours to the contrary, the Commons now ſitting at Weſtminſter ſhall proceed otherwiſe in all or any of the particulars aforeſaid, we do hereby, in the name of the Parliament and Kingdome

of Scotland, diffent from the fame, and folemnly proteft that they may be free before God and man, of all the guiltineſs, evills, confuſions, miſeries, and calamities, that may follow thereupon to theſe diſtracted Kingdomes.

LOTHIANE.
JO. CHIESLY.
WILL. GLENDONING.

24 February $164\frac{8}{9}$.

The Parliament having received a paper dated the 24th of February $164\frac{8}{9}$, ſubſcribed by the Earle of Lothiane, Sir John Chieſly, and William Glendoning, in the name of the Kingdome of Scotland, and taking the ſame into their ſerious conſiderations,— 1649 February 26.

They doe declare that the ſaid paper doeth containe much ſcandalous and reproachfull matter againſt the juſt proceedings of this Parliament, and an aſſuming on the behalf of that Kingdome to have power over the lawes and government of this Nation, to the high diſhonour thereof; and laſtly, a deſigne in the contrivers and ſubſcribers of it, to raiſe ſedition, and lay the grounds of a new and bloudy war in this land, that under the ſpecious pretences in that paper contained, they may gaine advantages to ſecond their late perfidious invaſion. And it is farther declared, that all perſons whatſoever reſiding in England or Ireland, or the dominions thereof, that ſhall joyne with, or adhere unto, or voluntarily aide or aſſiſt the ſaid contrivers and ſubſcribers of any whoſoever of the Kingdome of Scotland, in purſuance of the grounds laid by them in the ſaid paper, for raiſing ſedition and a new and bloudy war in this land, are rebelles and traitors to the Commonwealth of England, and ſhall be proceeded againſt as traitors and rebelles.

HEN. SCOBELL, *Cler. Parliament.*

Die Lunæ, 26 February $164\frac{8}{9}$.

Ordered by the Commons aſſembled in Parliament that the Lord Lothiane, Sir John Chieſly, and Mr. Glendoning, Commiſſioners of

the Kingdome of Scotland, ſhall have a guard ſet on their lodging to ſecure them, and alſo to reſtraine them from communication with any by whom the ſedition contained in their papers, dated the 24th February $164\frac{8}{9}$, might be promulged. And that none be ſuffered to have acceſs to them, or to paſſe out from them, but for their ſupply with neceſſaries during their abode here.

Upon this Order, Colonel Hariſon gave warrant to Captain Sexby, who committed them, and Mr. Robert Blair, miniſter at St. Andrews, and Commiſſioner for the Kirk of Scotland, cloſe priſoners in the Block-houſe at Graveſend; and after their reſtraint ſeveral days, they were ſent with a troop of horſe, commanded by Captain Dolphin, to Berwick, there to be detained unleſs the States of Scotland did own their proceedings. And the States of Scotland having owned their Letter, Declarations, and Proteſtations, they were diſmiſſed at the Bound-Rod.

Approbation by the Committee of Estates, of the Proceedings of the Commissioners.[1]

The Commitee of Eſtates haveing heard the Report of the Earl of Lothian anent the diſcharge of the Commiſſion granted to him and Sir John Chieſly and William Glendoning, for repairing to the King's Majeſty that lately reigned, and to the two Houſes of the Parliament of England, and conſidered all their deportments in their negotiations and proſecution of that publick truſt committed to them, do hereby find and declare, that the ſaid Earl of Lothian, Sir John Chieſly, and William Glendoning, have behaved and demeaned themſelves wiſely, faithfully, and diligently in obſervance of the inſtructions and according to the warrands given them, and approve of all their proceedings in relation thereunto; and for their great pains and faithfulneſs therein, ordains the Lord Chancelour, Preſident of the Commitee, and in name thereof, to render them hearty thanks.

[1] Extracted from the Records of Secret Council, March 26, 1649.

THE EARL OF ANCRAM to JOHN, LORD BALMERINOCH. 1649 February 22.

MY LORD, Thogh my Sonne, Lothiane, be all my letter, I could not lett him pairt without this freſhe memorandum of my carefully kept and bounden reſpect and harty kyndnes to your Lordſhip, and my Lady your wyffe, and Sonne; for I putt yow all in this piece of paper not to multiply words, becauſe I am paſt now all my court or ceremonious obſeruances of tyme paſt. What I can doe really ſo long as God keeps me in this world, I will performe it with the ſame affection to my frends and country, which I hope your Lordſhip never doubted. This Sonne of myne, whom God hath been pleaſed to be ſo ayrly and affidowuſly employed in this publique buſines, is cum'd to be alſo an eyewitneſs of a ſadder ſpectacle then ever we thought would grow out of it. The King of Kyngs enable him, and all of yow who are behynde, to do that which is moſt for God's glory and the good of the Churche and his people in it everywhere; and at this lock am I creeping doun the hill, or rather vpp the hill from this world to a better.—Your Lordſhip's moſt humble ſeruand,

ANCRAM.

WESTMINSTER, 22 February 1649.

For my Lord Balmerino in Scotland.

THE EARL OF LOTHIAN to the EARL OF ANCRAM. $164\frac{8}{9}$ March 3.

MY LORD, I receaved your Lordſhip's letter the other day, and till nowe I could returne nothing. We have beane ſince our reſtraint[1]

[1] "At this tyme (February 1649) the Earle of Lothian, Sir Jo. Chiſley, William Glendining, and Mr. Robert Blare, miniſter of St. Andrewes, Commiſſioners for the Kingdom of Scotland, hauing receaued orders to goe for Holland to the King, and being at Grauefend to imbarcke, they wer arreſted by a troupe of Cromwell's horſſe, by warrant from that blaſphemous armey, and wicked Parliament." (*Balfour's Annals*, vol. iii. p. 288.)

in expectation what would be further donne with vs, and this night Captain Dolphin brought vs a letter from Lieutenant General Cromwell, by the order of the Counſell of State, ſignifynge that we were to be ſent to Scotland with a garde, and that they had given money to provide vs coaches and horſſe and diett by the way. We have written backe againe that we deſire we may goe by ſea, and with what garde they will, and if that be not allowed vs, that we ſhall provide theſe accommodations att our oune charge. I wiſh indeade they would ſuffer vs to goe by ſea, becauſe we ſhall not gett ſuch land proviſions as we would.[1] But what they grant or refuſe, we muſt accquieſſe to it. We have deſired Mr. Campbell to come to London with the gentleman [who] hath our letter, that he may, if our ſea woyage be refuſed vs, give order to Jhon Rutherfoord to hyre coaches for vs. I can ſay noe more to your Lordſhip, but that I am, my Lord, your moſt lovinge and moſt obedient Sonne,

GRAWESEND, the 3 March $164\frac{8}{9}$. LOTHIAN.

For the right honorable the Earle of Ancram.

[1] This requeſt does not appear to have been granted, as "the then Parliament of England, fearing leſt they ſhould again attempt to go ſtraight to the King, did ſend them down as priſoners, a guard attending them until they came to Berwick." (*Life of Robert Blair, Wodrow Soc.*, p. 218.)

END OF VOL. I.

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Ancram, Robert Kerr, 1st earl of
Correspondence of Sir Robert Kerr

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